



Appeal Decisions

Site visit made on 3 April 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 April 2025

Appeal A Ref: APP/E5330/W/24/3356992

Pavement adjacent to Greenwich Square, Woolwich Road, London SE10 9GB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ollie Smith, on behalf of Urban Innovation Company (UIC) Ltd, against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 24/2727/F.
 - The development proposed is installation of "Pulse Smart Hub".
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Appeal B Ref: APP/E5330/H/24/3356995

Pavement adjacent to Greenwich Square, Woolwich Road, London SE10 9GB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Ollie Smith, on behalf of Urban Innovation Company (UIC) Ltd, against the decision of the Council of the Royal Borough of Greenwich.
 - The application Ref is 24/2728/A.
 - The advertisement proposed is installation of "Pulse Smart Hub" with integrated digital screens.
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Decision

1. Appeal A is allowed and planning permission is granted for installation of "Pulse Smart Hub" at pavement adjacent to Greenwich Square, London SE10 9GB in accordance with the terms of the application, Ref 24/2727/F subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Green-WR/2024/01 Rev No: 0; Green-WR/2024/02 Rev No: 0; Green-WR/2024/03 Rev No: 0; and Green-WR/2024/04 Rev No: 0; except in respect of the "Media Screen" shown on elevations "A" and "D" of plan Green-WR/2024/04 Rev No: 0.
2. Appeal B is dismissed.

Preliminary Matters

3. There are two appeals on this site, one against the refusal of planning permission and the other against the refusal of advertisement consent. They are intrinsically linked due to the nature of the proposal. To avoid repetition, while considering each on its merits, I have dealt with both in a single decision letter.

4. In respect of Appeal A, I have used the description of the development from the application form, omitting reference to the provision of integrated digital screens, as this element of the proposal is the subject of Appeal B.
5. In respect of Appeal B, the Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as material considerations. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issues

6. In respect of Appeal A, the main issue is the effect of the proposed development on the character and appearance of the area. In respect of Appeal B, the main issue is the effect of the proposed advertisements on public safety.

Reasons

Character and appearance

7. The appeal site is located on a relatively wide section of footpath. It is in a highly visible location on a main thoroughfare. There is a bus shelter with associated signage, lighting columns, traffic signs, a CCTV post and a utility cabinet in the vicinity of the appeal site. However, these are spread across a long stretch of footpath, with a considerable gap around the appeal site. Most are also slim in profile, and so this section of the footpath remains relatively open.
8. The ground floor of the building directly facing the appeal site is largely inanimate. On the opposite side however, the road is lined by ground floor commercial uses, each with their own signage, some of which project over the street. While the area immediately around the appeal site is thus largely free of clutter and commercial signage, advertisements are a relatively common feature in this area.
9. The alignment of the proposed hub unit in the footpath would see it sit behind the existing bus shelter in views from the east. It would be seen in context with this existing structure in views from the west. The narrow side of the unit would face the road, and so from the opposite side its visual impact would be more limited.
10. A wide expanse of footpath would be retained between the unit and the adjacent building, and this is the corridor in which pedestrians would naturally walk to avoid the existing bus shelter. In the context described above, the Appeal A proposal would not result in an excessive amount of street furniture in this location, nor would it appear incongruous or obtrusive, or create physical or visual clutter.
11. The Council has referred to other dismissed appeals for a similar street hub unit nearby¹ which it considers are relevant to the proposal given the proximity and similarity. However, the site for the street hub in those cases sat within a different context to the appeal site, which the Inspector found cluttered due to the presence of a bus stop, street trees, seating and signage. This is materially different to the appeal site and thus does not lead me to a different conclusion on this main issue.

¹ Appeal Refs: APP/E5330/W/22/3309895 and APP/E5330/W/22/3309896

12. The Appeal A proposal would not have a harmful effect on the character and appearance of the area. It would be in accordance with Policies D3 and D8 of the London Plan March 2021 and Policy DH1 of the Royal Greenwich Local Plan Core Strategy with Detailed Policies Adopted 30th July 2014 (the Local Plan Core Strategy). These policies, among other provisions, seek to ensure that proposals including those affecting the public realm are well-designed and of a high quality, and enhance local context by delivering spaces that positively respond to local distinctiveness; and that consideration is given to the use, design and location of street furniture so that it complements the use and function of the space and improves pedestrian amenity.

Public Safety

13. The site of the proposed advertisements is located on Woolwich Road, part of the Strategic Road Network. It sits in close proximity to an existing bus stop serving westbound buses on the appeal site's side of the road, with another serving eastbound buses on the opposite side. Traffic must navigate around the parked buses, and buses departing must merge with passing traffic. There are also junctions on the opposite side of the road, which cross a segregated bike path. I observed at the time of my site visit that the road was busy with vehicular traffic.
14. The nearest pedestrian crossing is some distance to the west at the junction with Blackwall Lane / Vanburgh Hill. Pedestrians are thus likely to cross the road unaided near the appeal site to access businesses and the bus stop opposite.
15. The evidence indicates that this stretch of road is somewhat prone to road traffic collisions, with numerous incidents having occurred between the junctions of the A206 / Vanbrugh Hill and the A206 / Hazel Lane since 2016. 8 of these incidents were pedestrian collisions, and several occurred near the appeal site.
16. Given the complexity of the layout, the levels of pedestrian and vehicular traffic and the propensity for conflict between road users, it is important that drivers, pedestrians and cyclists are not distracted when navigating this part of the road network. The appeal proposal would introduce 2 large, illuminated displays facing east and west along the road, situated close to the edge of the carriageway.
17. While adverts would be statically displayed, the size, proximity, illumination and nature of the displays would invariably draw the attention of passing drivers, pedestrians and cyclists. The proposed advertisements would thus increase the likelihood of conflict between road users and therefore pose a risk to public safety.
18. Notably, both the Council's Transport and Highway section and Transport for London (TfL) have raised objections to the proposed advertisements on grounds including the impact on highway safety.
19. While the proposed hub unit may largely comply with guidance contained within TfL's Part E Footway Amenities, Streetscape Guidance, 'Streets Toolkit' (2016), given my findings above it would conflict with the requirement to ensure that street furniture does not create a situation which compromises the safety of any users.
20. In respect of Appeal B, I conclude that the proposed advertisements would have a harmful effect on public safety. I have considered the development plan policies so far as they are material. The proposed advertisements would conflict with Policies T2 and T4 of the London Plan and Policy IM(b) of the Local Plan Core Strategy.

These policies, among other provisions, seek to ensure that proposals do not increase road danger, protect footpaths and cycle ways and ensure that new developments provide for the needs of their users, promote walking and cycling safety with safe facilities for crossing roads, and take account of 'desire lines' to local shops and services and safer routes to public transport.

21. I have not identified any direct conflict with Policy IM(a) of the Local Plan Core Strategy, which concerns transport provision for major developments and extensive sites where comprehensive development can take place.

Other Matters

22. In respect of Appeal A, objections were received from interested parties, including the Council's Transport and Highway section and TfL, concerning the impact of the proposal on highway safety. However, the size of the hub unit itself is limited and it sits within a largely open section of the public footpath. Based on my own observations and the evidence before me, and notwithstanding the harmful effect on public safety of the proposed advertisements outlined above, the physical presence of the hub unit itself in this location would not be so obstructive as to have a harmful effect on highway and pedestrian safety. Notably, the Council did not list this as a reason for refusal in respect of Appeal A.
23. Concerns regarding noise and light pollution emitted from the proposed hub unit have also been raised by interested parties, in respect of Appeal A. However, the appeal site sits along a busy urban thoroughfare where a degree of noise and light pollution is already present and can be expected. Notwithstanding the harmful effect of the proposed advertisements on public safety outlined above, there is no substantiated evidence before me to indicate that the hub unit itself would result in an undue increase in noise and light pollution in this area that would be harmful to the character and appearance of the area or the living conditions of the occupiers of neighbouring properties.
24. While the proposals may be compliant with other provisions of the development plan or the National Planning Policy Framework (the Framework) and would not impact on heritage assets, the absence of harm or development plan conflict with respect to other relevant matters weighs neither for nor against the proposals.

Conditions

25. In respect of Appeal A, the Council has suggested conditions should the appeal be successful. I have considered these and amended where necessary to accord with the Planning Practice Guidance and the tests for conditions set out in Paragraph 56 of the Framework.
26. In addition to the standard time limit condition, it is necessary to specify the approved plans as this provides certainty.
27. The Council has suggested conditions stipulating that the development shall be constructed in the materials submitted. However, the proposed materials are detailed in the approved plans and so are captured by Condition No 2.
28. A condition has also been suggested to ensure that the footway and carriageway of Woolwich Road is not blocked during construction / installation. However, the Council as the Local Highway Authority has control over the footway and carriageway and so this condition is also not necessary.

Conclusion

29. In respect of Appeal A only, the development adheres to the development plan as a whole and there are no other considerations that would outweigh this finding. Accordingly, for the reasons given, Appeal A succeeds.
30. In respect of Appeal B, the proposed advertisements would have a harmful effect on public safety. I therefore find that it would be contrary to the development plan taken as a whole, as well as the Framework and the Regulations to control advertisements, for the reasons set out above.
31. Set against this, the proposed advertisements would provide several benefits, including digital advertising for businesses and other organisations, wayfinding capabilities, public information messaging and location services. As a means of supporting the viability of the overall hub unit, they may also indirectly contribute to the electronic communication and telephone services, device charging, air quality monitoring, and the provision of a defibrillator.
32. However, in the circumstances of this appeal, I consider that these benefits do not outweigh the identified harm arising from the proposed advertisements. Accordingly, Appeal B is dismissed.

Ryan Cowley

INSPECTOR