



Appeal Decisions

Site visit made on 15 July 2025

by **L Gardner MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th August 2025

Appeal A Ref: APP/L5240/W/24/3357629

93 George Street, Croydon CR0 1LD

- 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 Nathan Still of In Focus Public Networks Limited against the decision of the Council of the London Borough of Croydon.
 - The application ref is 24/03220/FUL.
 - The development proposed is the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator.
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Appeal B Ref: APP/L5240/H/24/3357631

93 George Street, Croydon CR0 1LD

- 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 Nathan Still of In Focus Public Networks Limited against the decision of the Council of the London Borough of Croydon.
 - The application ref is 24/03221/ADV.
 - The advertisement proposed is for the display of a single sided illuminated 6 sheet advertisement affixed to a telecommunication hub unit.
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Decisions

1. Appeals A and B are dismissed.

Preliminary Matters

2. Appeal A relates to the refusal of planning permission for the proposed multifunction hub. Appeal B is in respect to the refusal of an associated advertisement consent which would be an integral part of the proposed hub sought under Appeal A. I have considered both on their individual merits, but as they raise similar issues, I have combined these cases into a single decision letter.
3. In respect to Appeal B, Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) and the National Planning Policy Framework (the Framework) state that advertisements should be subject to control only in the interests of amenity and public safety. With respect to Appeal B, the development plan policies referred to by the Council are not determinative, but I have taken these into account as a material consideration.
4. In Appeal B, I have taken the description of the proposed advertisement from the appeal form rather than the application form as this is a more accurate description.

Main Issues

5. The main issues in relation to Appeal A are the effect of the proposed development on:
 - the character and appearance of the public realm and the surrounding area and,
 - highway safety, with particular regard to users of the tram network and pedestrian movement.
6. The main issues in relation to Appeal B are the effect of the proposed advertisement on:
 - visual amenity and,
 - public safety, with particular regard to users of the tram network and pedestrian movement.

Reasons

Character and appearance and visual amenity

7. The footway within which the appeal site is situated forms part of a busy thoroughfare from the nearby East Croydon railway station and tram stop, through to the town centre. The street has an active frontage with a mix of uses and modern architectural styles including the Boxpark building adjacent to the station. Ground floor commercial units are frequent, the closest to the appeal site being currently occupied by a chain coffee shop. At the time of my site visit, an A-board advertisement associated with the coffee shop was present on the footway.
8. The width of the footway, which runs adjacent to the tram lines, varies being wider closer to the junction of George Street and Dingwall Road. At the location of the appeal site, the footway begins to narrow but is not at its narrowest point. There are various structures which already exist within the footway within close proximity to the appeal site including a bin, cycle hoops, a navigational post and streetlamps. The wider street scene features further structures including the overhead lines associated with the tram network.
9. The proposed hub would be situated towards the edge of the footway (where it bounds the tram lines) in between existing cycle hoops and a bin. The associated advertisement would be positioned to face towards the direction of the railway station and tram stop.
10. The modern design of the unit could be accommodated within the character of the area noting the varying forms of development in the area. However, whilst the proposal would be subordinate in scale to the buildings which surround it, it would not be subordinate to the immediate street environment in which it would be interpreted, particularly given its positioning at a point where the footway begins to narrow.
11. The existing items of street furniture, except for the bin which is in any case of a much lower height, are relatively streamlined in their design such that their prominence is reduced. To the contrary, the proposed hub and its associated advertisement would have a much bulkier and dominating appearance. The

illuminance associated with the proposed advertisement, despite its ability to be controlled in extent, would further increase the prominence of the proposal.

12. The appellant has referred to a linked appeal for a similar form of development relatively close to the site (APP/L5240/W/22/3307338 and APP/L5240/H/22/3307339). However, the context of that site is materially different being at a much wider central reservation at a heavily trafficked intersection. I therefore cannot find direct parallels which would lead me to conclude differently than I have in respect to the appeal proposal before me.
13. I note that the appellant is also in the process of appealing three other similar decisions for hub units, again linked with an associated advertisement consent, also in central Croydon¹. The closest of these to the appeal site is at 99 George Street (close to the entrance to Boxpark). The other two linked appeal proposals, at 11-12 Suffolk House and North End are of such a distance away from the appeal site that they would largely not be interpreted in the same visual context.
14. If the appeal scheme before me and the linked appeal scheme at 99 George Street were both to be allowed, then there would be a cumulative increase in the proliferation of street furniture in the wider area. This would be harmful given that users of the footway would likely experience both developments as they navigate the busy route from the railway station and tram stop to the town centre.
15. Notwithstanding the above, even when taken solely in the context of the existing street furniture, both permanent and temporary, the proposal would form an intrusive addition which would create a proliferation of street furniture. I therefore conclude that it would lead to visual clutter that would harm the character and appearance of the public realm and the surrounding area and consequently have a harmful effect on visual amenity.
16. Based on the above I find conflict with Policy SP4 of the Croydon Local Plan (CLP) (2018) which in part, requires proposals to positively contribute to the public realm and townscape. The proposal would also be contrary to Policy DM10 of the CLP which amongst other matters outlines that development should create a high quality built environment, providing spaces which are visually attractive. In addition, there would be conflict with Policies D4 and D8 of the London Plan (LP) (2021) which amongst other things, relate to achieving good design and requires that the public realm is well-designed, and that consideration is given to the location of street furniture to complement the use and function of the space. The relevance of Policy T2 of the LP is limited in relation to this main issue, given that as below it relates more generally to healthy streets.

Highway and public safety

17. Policy T4 of the LP states that development proposals should not increase road danger. Policy T2 of the LP relates to the delivery of healthy streets including in the context of developments being permeable for pedestrians and cyclists. Policy SP8 of the CLP amongst other matters, states that the Council will improve conditions for walking and enhance the pedestrian experience partially through avoiding unnecessary footway interruptions. Policy DM29 of the CLP states that

¹ 99 George Street - APP/L5240/W/24/3357632 linked with APP/L5240/H/24/3357633; 11-12 Suffolk House – APP/L5240/W/24/3357634 linked with APP/L5240/H/24/3357635 and North End – APP/L5240/W/24/3357636 linked with APP/L5240/H/24/3357637

development must not have a detrimental impact on highway safety, including for pedestrians, cyclists and public transport users.

18. There is disagreement between the parties as to the width of the pavement which would remain following the proposal. However, having visited the site, it is clear that there would still remain sufficient clear passage on the footway for users of the footway to deviate around the hub if needed, even in the context of heavy footfall. The proposed hub would be at a part of the footway which is already likely to be less used as a direct path line given the existing street furniture and the close proximity to the tram lines. The proposal would therefore not impede pedestrian flow to a degree that it would be harmful to public safety.
19. The tram lines and the highway which serves other vehicular traffic are in part separated by a low mesh fence with infrequent trees along a narrow central reservation. At the time of my site visit, this was present at the point of the appeal site, and I therefore consider it unlikely that pedestrians will choose this location to cross George Street in favour of the designated crossing points nearby. The presence of the proposed hub partially blocking visibility would in my view further decrease the likelihood of ad hoc crossing. The risk of pedestrians walking out onto the tracks from behind the proposed hub would therefore be low.
20. The illumination associated with the advertisement would be towards the direction of the tram stop. Tram drivers travelling past the advertisement would be coming from the tram stop where there is already a high proliferation of existing signage and advertisements (including those which are illuminated on the side of the Boxpark building). The additional advertisement would be positioned close to the edge of the tracks, within the line of sight of drivers travelling away from the tram stop and could therefore reasonably add further to the overall distractions experienced in the area (which again would be cumulatively worse if the linked appeal scheme at 99 George Street were to be allowed).
21. However, tram drivers would already likely be alert from the existing distractions at the busy interface around the tram stop. Given my findings above in respect to the low likelihood of pedestrians crossing the track close to the appeal site, and that the level of illuminance of the advertisement could be controlled, the position of the proposed advertisement would not have associated safety risks which would lead to a public safety harm.
22. Based on the above, the proposal would not have a harmful effect on highway or public safety, with particular regard to users of the tram network and pedestrian movement. In respect solely to this main issue, it would therefore comply with Policies T2 and T4 of the LP as well as Policies SP8 and DM29 of the CLP. There would also be no conflict with the provisions of paragraph 141 of the Framework, specifically in relation to public safety.

Other Matters

23. The appellant contends that the proposal would represent an inward investment into the area which in turn would contribute to a healthy and vibrant retail sector. It would also deliver public services free of charge and a defibrillator to be used in times of emergency. These represent economic and social benefits to which I have given moderate weight. However, the benefits associated with the development are not sufficient to outweigh the harm which I have identified in respect to the first main issue above.

Conclusion

24. Whilst I have found that the proposal would have an acceptable effect on highway and public safety, this does not outweigh the harm I have found in respect to visual amenity and the character and appearance of the area. Consequently, for the reasons given above, having regard to the development plan when read as a whole, and all relevant material considerations including the provisions of the Framework, I conclude that both Appeal A and Appeal B should be dismissed.

L Gardner

INSPECTOR