



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/24/3357632

Boxpark Croydon, 99 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 24/03222/FUL.
 - The development proposed is installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator.
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Appeal B Ref: APP/L5240/H/24/3357633

Boxpark Croydon, 99 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 24/03223/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 appeal site is positioned close to the access to East Croydon railway station as well as the tram stop. The footway within which the appeal site forms part of, therefore has a high footfall, with users from the railway and tram services making their way down George Street to the town centre. The immediate area has a commercial focus including a variety of uses and modern architectural styles. Of particular note, the Boxpark building borders the footway with its main entrance which features a large digital advertising screen.
8. The width of the footway, which runs adjacent to the tram lines, varies, partially due to the presence of steps to access both the railway station and the Boxpark building. Street furniture within the immediately surrounding area is frequent including, streetlamps, railings, cycle loops, bins, electricity boxes, navigational posts and structures to support the overhead tram lines. The area also features various signs relating to both commercial and non-commercial activity. As a result, the street scene as existing is highly active and somewhat cluttered.
9. The proposed hub would be situated towards the edge of the footway (where it bounds the tram lines) broadly in between the access to the railway station and the access to the Boxpark building. 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 scale in comparison to other existing street furniture which is either lower in height or slimline in design.
11. 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 and add to the visual clutter already experienced in the immediate surroundings.

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. 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 93 George Street. 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 93 George Street were both to be allowed, then there would be an even greater 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, the proposal would form an intrusive addition which would exacerbate the proliferation of street furniture in the area. Consequently, it would negatively affect the attractiveness and sense of space within the public realm, diminishing the visual quality of the street in a location used by a significant number of people. I therefore conclude that the proposal would harm the character and appearance of the public realm and the surrounding area and as a consequence 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

¹ 93 George Street - APP/L5240/W/24/3357629 linked with APP/L5240/H/24/3357631; 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

conditions for walking and enhance the pedestrian experience partially through avoiding unnecessary footway interruptions. Policy DM29 of the CLP states that development must not have a detrimental impact on highway safety, including for pedestrians, cyclists and public transport users.

18. Having visited the site, 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. Beyond the immediate footway, the area forms a busy intersection which is challenging to navigate due to the volumes of activity and existing distractions from previously mentioned signage and advertisements. For the majority of the footway, there is no barrier to prevent pedestrian movement onto the tram lines which could encourage pedestrians to cross the tracks at non designated crossing points for personal ease of movement.
20. The proposed hub, given its scale and proximity to the tram stop could negatively affect pedestrian sightlines at a point where trams are moving in both directions. This presents a safety risk due to both distraction and the physical presence of the structure acting as a potential visual barrier. Noting the high levels of activity in the area this would have a harmful effect to safe navigation which would be materially worse than the impacts associated with existing street furniture due to the bulkier scale of the proposal.
21. In addition to the above, the proposed advertisement would add further distraction to tram drivers being so close to the track and within direct sightlines. Although tram drivers are already likely to be alert given the high levels of activity in the area, the further distraction, and above risks associated with the proposal blocking pedestrian sightlines would increase safety risks to a degree that the proposal would cause harm to public safety.
22. Based on the above, the proposal would have a harmful effect on highway and public safety, with particular regard to users of the tram network and pedestrian movement. It would therefore be contrary to Policies T2 and T4 of the LP as well as Policies SP8 and DM29 of the CLP. There would also be 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 character and appearance of the area and visual amenity, and highway and public safety.

Conclusion

24. 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