



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/24/3357634

11-12 Suffolk House, George Street, Croydon CR0 1PE

- 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 24/03224/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/24/3357635

11-12 Suffolk House, George Street, Croydon CR0 1PE

- 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 24/03225/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,
 - highway safety, with particular regard to users of the highway network and pedestrian movement, and
 - the outlook for the occupiers of 11-12 Suffolk House.
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 highway network and pedestrian movement.

Reasons

Character and appearance and visual amenity

7. The footway within which the appeal site is situated forms part of the thoroughfare from the nearby East Croydon railway station and tram stop, through to the town centre. During my site visit, I observed that whilst levels of footfall were higher on the opposite side of George Street (which provides a more direct route), pedestrian activity along the footway was still busy.
8. The street has an active frontage with a mix of uses and modern architectural styles. Ground floor commercial units are frequent, the closest to the appeal site being currently occupied by a restaurant. I understand that this restaurant has planning permission for tables and chairs to be placed on the footway with a retractable awning providing cover.
9. The width of the footway along this part of George Street is relatively consistent. However, there is a gap in development close to the appeal site which creates a wider expanse of footway leading to a pedestrianised square. There are various structures which already exist within the footway within close proximity to the appeal site including streetlamps, a navigational post and cycle hoops.
10. The proposed hub would be situated towards the edge of the footway with a slight offset from the kerblane. The associated advertisement would be positioned to face the direction of oncoming traffic.
11. 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. The proposed hub would occupy a notable proportion of the footway given the width of the footway at the point of the proposal.
12. The existing items of street furniture 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.

13. 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.
14. 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 (further up and on the opposite side of the road). However, all three schemes are all of such a distance away from the appeal site that they would largely not be interpreted in the same visual context.
15. When taken in the context of the modest width of the footway and the existing street furniture (which could at times include tables and chairs associated with the adjacent restaurant), the proposal would form an intrusive addition which would create a dominant feature in the public realm. 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 development must not have a detrimental impact on highway safety, including for pedestrians, cyclists and public transport users.
18. The footway at the point of the proposed hub is comparatively narrow when considered against the wider expanse created through a gap in development form close to the appeal site. The presence of chairs and tables associated with the

¹ 99 George Street - APP/L5240/W/24/3357632 linked with APP/L5240/H/24/3357633; 93 George Street - APP/L5240/W/24/3357629 linked with APP/L5240/H/24/3357631 and North End – APP/L5240/W/24/3357636 linked with APP/L5240/H/24/3357637

adjacent restaurant has the potential to narrow the footway further when they are in situ. Moreover, when the retractable awning is extended, the perception of the footway width would be even further reduced.

19. The proposed hub would occupy a notable proportion of the footway causing pedestrians and other users to deviate either side. I note that the appellant contends that the remaining footway width would be in line with Transport for London guidance. However, I do not consider it appropriate, based on the guidance included within JCD 1 of the appellant's statement to combine the width either side of the proposed hub. The gap between the footway edge and the proposed hub would be modest and not a safe or attractive alternative even in the context of the 20mph speed limit on the adjacent road. This would leave a narrow extent between the hub and the building (even narrower when the tables and chairs and awning are present).
20. In the context of the level of footfall which the footway attracts, the remaining width would be insufficient to allow for the convenient and free flow of pedestrians and other footway users. The consequence of this is that users may feel forced to step into the highway to avoid the hub which creates a highway and public safety risk.
21. The illumination associated with the advertisement would be towards the direction of oncoming vehicular traffic. Vehicles would be travelling towards a controlled signal junction at the junction between George Street and Park Lane. There would still be some distance to travel from the appeal site to the junction. Nevertheless, noting the above in relation to pedestrians potentially stepping into the highway, the further distraction created through the proposed advertisement could serve to compound the highway and public safety risks identified above.
22. I therefore conclude that the proposal would have a harmful effect on highway and public safety, with particular regard to users of the highway 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.

Neighbouring occupiers

23. The proposed hub would be positioned in front of the existing restaurant at 11-12 Suffolk House. The site plan annotates that the distance from the edge of the hub to the building would be less than 3m. The proximity to users of the tables and chairs positioned on the footway to serve the restaurant would be even closer.
24. Whilst the proposed hub would be a visible feature in the footway for the occupiers of 11-12 Suffolk House, its orientation would mean that the most visible element would be its narrowest extent. The proposed advertisement would be visible, but only at oblique lines of sight. The side elevation of the proposed hub would be more akin to the slimline nature of the existing street furniture. The outlook for the occupiers of 11-12 Suffolk House would therefore not be materially different to that which is experienced by neighbouring occupiers elsewhere along the footway.
25. In relation to this main issue, I conclude that the development would not have a harmful effect on the outlook for the occupiers of 11-12 Suffolk House. Policy DM10 of the CLP includes support for proposals which ensure that the amenity of

occupiers of adjoining buildings are protected. As far as is relevant to this main issue, there would be no conflict with Policy DM10 of the CLP.

26. The Council's reason for refusal in relation to this matter also refers to Policy D4 of the LP. This policy relates to delivering good design including through masterplans and design codes, but I find no specific reference within the policy to neighbouring outlook. The reason for refusal also refers to Policy SP4 of the CLP which as above, in part requires proposals to positively contribute to the public realm and townscape. Again, I find the relevance of this policy in relation to neighbouring outlook limited.

Other Matters

27. 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 above.

Conclusion

28. Whilst I have found that the proposal would not cause harm to the outlook for the occupiers of 11-12 Suffolk House, this does not overcome the harm I have found from the proposals with regard to the effect on highway and public safety and in respect to visual amenity and character and appearance. 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