



Appeal Decisions

Site visit made on 24 April 2025

by **Megan Thomas KC** Barrister-at-Law

an Inspector appointed by the Secretary of State

Decision date: 22 May 2025

Appeal A Ref: APP/X0360/W/24/3357277

Land outside 145 Crockhamwell Road, Woodley RG5 3JP

- 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 New World Payphones against the decision of Wokingham Borough Council.
 - The application ref. is 242147.
 - The development proposed is the installation of 1 no. communications kiosk with integrated advertising display.
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Appeal B Ref: APP/X0360/H/24/3357278

Land outside 145 Crockhamwell Road, Woodley RG5 3JP

- 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 New World Payphones against the decision of Wokingham Borough Council.
 - The application Ref. is 242148.
 - The development proposed is the installation of 1 no. communications kiosk with integrated advertising display.
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Decisions

Appeal A Ref: APP/X0360/W/24/3357277

1. The appeal is dismissed.

Appeal B Ref: APP/X0360/H/24/3357278

2. The appeal is dismissed.

Procedural Matters

3. There are two appeals relating to the same site, one against the refusal of planning permission and the other against the refusal of advertisement consent. They are intrinsically linked and raise similar issues. To avoid repetition, while considering each on its merits, I have dealt with both in a single decision letter.
4. The Town and Country Planning (Control of Advertisements)(England) Regulations 2007 stipulate that control may only be exercised 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 material considerations.

5. A couple of development plan policies have been referred to in respect of both the s78 and advertisement appeals. They are policy TB19 of Wokingham’s Managing Development Delivery (adopted 2014) (which states that the Council will only permit outdoor advertisement where there is, amongst other things, no harmful impact on the character and appearance of the area) and policy CP3 of the Wokingham Core Strategy (adopted 2010) (which permits proposals that are of an appropriate height and character to the area without detriment to the amenities of adjoining land users).

Main Issue

6. The main issue in both appeals is the effect of the proposal on amenity.

Reasons

7. The appeal site is part of a shopping precinct in the town of Woodley and it is opposite no.145 Crockhamwell Road which is currently occupied by Domino’s Pizza. The precinct is pedestrianised. It is orientated in a broadly north south direction with commercial and retail uses facing each other across the wide precinct. There are some residential flats above the shops. The centre is anchored by a Waitrose supermarket.
8. Permission is sought for the installation of a communication kiosk on the precinct. It would not replace any existing payphones. The structure would be about 2.4m tall, about 1m wide and about 0.8m deep, in an L-shape. It would have a generally traditional appearance with a nod to British kiosk design, and be black in colour.
9. On one side of the structure, the kiosk would incorporate a telephone which accepts cash and card payments and includes free calls to emergency numbers and to designated charities. The kiosk would also incorporate a defibrillator, interactive wayfinding information and would have Wi-Fi connectivity. On the reverse would be a liquid crystal display digital advertising screen, which would face in a broadly northerly direction. The advertisement screen would measure about 1.63m high and about 0.9m wide. Adverts would be internally illuminated at 300cd/sqm and the screen would display static images that would change every 10 seconds or so. The display would have an inbuilt sensor control system which adjusts display luminance to ambient light levels.
10. The screen would be available for Council public information to be displayed and public health messaging and emergency incident messaging. Its primary use would be for private advertising.
11. The National Planning Policy Framework paragraph 117(c) encourages decision makers to, amongst other things, create places that are attractive and avoid unnecessary street clutter. The proposed site for the kiosk would be in an area where there are many items of street furniture, including lighting columns, bike stands, a post box, casual seating, planters, cylindrical non-digital advertisement columns, a payphone kiosk, a no-cycling sign, bollards, litter bins, vegetation and a raised performance stage with a fabric sail over it. I consider that the area is visually cluttered. The kiosk would be sited in a prominent position. It would be a sizeable

structure, especially due to its height at about 2.4m, and an eye-catching one owing to its large digital illuminated changing advertisement screen. It would add visual clutter to the area which cumulatively would be detrimental to visual amenity. This would unduly harm the character, appearance and amenity of the area. Accordingly, a clear conflict arises with the provisions of the development plan policies identified earlier.

12. I have weighed up the benefits of the proposal, particularly the provision of a defibrillator, however, I note there is a defibrillator available at Waitrose and another in the Clock Tower advertisement column outside 162 Crockhamwell Road, and so this factor carries only limited weight in this instance. Taking the public benefits of the kiosk as a whole, they do not outweigh the harm I have identified above.

Conclusion

13. Having taken into account all representations made, for the above reasons, I conclude that the appeal should be dismissed.

Megan Thomas KC

INSPECTOR