



WOKINGHAM BOROUGH COUNCIL

Written Representations Appeal Statement by the Local Planning Authority

Appellant:	New World Payphones
Site:	Land outside 145 Crockhamwell Rd, Woodley, Wokingham, RG5 3JP
Appeal A (Planning Application)	
LPA Reference:	242147
Planning Inspectorate Reference:	APP/X0360/W/24/3357277
Appeal B (Advertisement Consent Application)	
LPA Reference:	242148
Planning Inspectorate Reference:	APP/X0360/H/24/3357278

12 February 2025

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Appendix One: Suggested Conditions

1. INTRODUCTION

1.1 This appeal statement relates to the refusal of planning permission and advertisement consent by the Local Planning Authority (LPA) for the proposed installation of 1no. new communications kiosk with an integrated advertising display.

1.2 A full planning application was validated by the LPA on 22nd August 2024, with LPA reference 242147. The application was listed by a Ward Member to be determined at the November 2024 Planning Committee. The application was subsequently refused on 14th November 2024 following the Committee Meeting on 13th November 2024. The digital advertising element of the proposal was the subject of a separate advertising consent application, with LPA reference 242148, which was refused consent on 18th November 2024.

1.3 The full planning application was refused for the following reason:

The proposed development would be out of character with the openness of the street causing harmful visual clutter and cumulatively adding to existing street furniture, contrary to policy CP3 of the Core Strategy (2010).

1.4 The advertisement consent application was refused for the following reason:

The proposed digital advertising screen would introduce an advertisement that, due to its size, illumination and changing display, would be visually dominant and unduly prominent to the detriment of the character and appearance of the surrounding area. The proposal is therefore contrary to TB19 and of the MDD (2014) and the NPPF.

1.5 This statement responds to the grounds of appeal made by the Appellant and provides additional commentary, where relevant, to the Committee Report (ref

242147) and Delegated Officer Report (ref 242148) that have already been submitted as part of this appeal.

2. SITE DESCRIPTION AND SURROUNDINGS

2.1 The appeal site relates to land outside 145 Crockhamwell Road which is located towards the northern end of the Woodley Precinct. Woodley Precinct is a largely pedestrianised area (with restricted vehicular access) comprising a mix of typical Town Centre uses including retail. Residential units occupy the first floor level and above within some of the buildings fronting the precinct.

3. RELEVANT PLANNING HISTORY

3.1 There is no historic planning history relevant to the proposed development.

4. LEGAL CONTEXT AND PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan, unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) among them the 'presumption in favour of sustainable development'. However, the NPPF does not change the statutory status of the development plan as the starting point for decision making.

4.2 It is the Council's view that the policies relative to this appeal remain unaltered, as outlined in the Committee Report and Delegated Officer Report.

4.3 However, it should be noted that since the refusal of both the full planning application and advertisement consent application, a new version of the NPPF

has been published (December 2024) which supersedes the version used when determining the applications (December 2023). It is not considered that the new version of the NPPF fundamentally or significantly impacts the assessment of these proposals.

5. RESPONSE TO APPELLANT'S GROUNDS OF APPEAL TO REFUSED FULL PLANNING APPLICATION

5.1 The Appellants state that the proposed kiosk would *“sit within a busy street environment, with the Precinct containing a number of other street furniture including benches, bollards and cycle hoops. The proposed communication kiosk will sit within this environment and not appear as an incongruous addition or isolated with its positioning.”*

5.2 While it is acknowledged that there are other forms of street furniture within the Precinct, including in proximity to the application site, the proposed kiosk would be more visually prominent than the examples referred to. This is largely due to its design, which would incorporate an illuminated sign of which there are none of this scale or kind within the vicinity, as well as its siting within a less obstructed part of the precinct. Existing street furniture within proximity to the site are mostly clustered together and appear planned as part of the street scene in this respect.

5.3 In contrast, the proposed kiosk would be of a starker appearance to these existing features which are more appropriately sited and “low-key” in appearance in relation to their intended function. The provision of the digital screen necessitates an overly large structure, circa. 2.5m in height, much larger than would be required to house the telephony, Wi-Fi, wayfinding equipment,

defibrillator and other equipment proposed. The result is that the structure is seen as a platform for advertising, rather than a telephone kiosk. In this respect, the proposal would introduce a visually intrusive, out of keeping piece of street furniture to the precinct.

5.4 The Appellant notes the active frontage on the street scene relating to the associated shops with signage at pedestrian level. While this is acknowledged, the proposal is not comparable with fascia signs and boarding immediately fronting shopfronts which are reflective of their intended function in appearance. The proposed kiosk would be sited away from the shopfront and would therefore not be viewed as forming part of the shop frontage.

5.5 For the reasons above, the Council respectfully disagrees with the Appellant that the proposed structure would have a neutral effect on the character of the area.

5.6 An additional benefit claimed by the Appellant is that the proposal would facilitate the planting of 1no. tree, in a location that could be chosen by the Council, delivered by the charity 'Trees for Cities'. While it is welcomed that the Appellant would plant trees in connection with their partner charity, this is not directly relevant to the appeal scheme given there would be no net loss of trees or landscaping, and therefore this could not be formally controlled or insisted upon by the Council.

5.7 It is acknowledged that the proposed kiosk would provide a public facility with the proposed range of functions above and beyond a traditional telephone box. These benefits have been quantified by the Appellant and the 'need' aimed to be justified. It is noted that paragraph 123 of the NPPF states that Local Planning Authorities should not question the need for electronic

communications systems. This proposal is an enhanced communication system, with some elements (and presented benefits of the scheme) not relating to the electronic communication element of the proposal, such as the defibrillator. Not all benefits are encompassed by, or relate to, the benefits of electronic communication apparatus outlined in the NPPF. As such, the weight of these benefits should be reduced in the planning balance.

5.8 The Council does not consider that the identified benefits equal, override or outweigh the level of harm that has been identified to the visual amenity of the street scene and character of the area.

6. RESPONSE TO APPELLANT'S GROUNDS OF APPEAL TO REFUSED ADVERTISEMENT CONSENT APPLICATION

6.1 Advertisement consent was refused for the illuminated digital display screen on the kiosk due to concern that the advertisement would be visually dominant and unduly prominent to the detriment of the character and appearance of the surrounding area.

6.2 Owing to the structure of the Appellant's Statement of Case, there is not separate grounds of appeal for the advertisement consent application. To avoid repetition and to outline the Local Planning Authority's position, please refer to the Delegated Officer's Report for the Council's case on the harm the advertisement would pose to the character and appearance of the surrounding area.

7. CONCLUSION

7.1 After consideration of the Appellant's Statement of Case, the Council remain strongly of the view that the proposal subject to these appeals remains unacceptable, as discussed throughout this statement. The proposed kiosk and its associated advertisement screen would be out of keeping with the character and appearance of the precinct owing to its size and design which is not comparable to the existing street furniture or other features noted by the Appellant. The proposal therefore does not comply with the Development Plan and other material considerations including the National Planning Policy Framework.

7.2 The Inspector is therefore respectfully requested to dismiss both the planning and advertisement appeals on the basis of the above assessment and other supporting documentation already submitted.

7.3 If the Inspector is minded to allow one or both of the appeals, the LPA has suggested a number of conditions in **Appendix 1**.