JCDecaux

Out of Home Media

Angola
Australia
Austria
Azerbaijan
Bahrain
Belgium
Botswana
Brazil
Bulgaria
Cameroon
Canada
Chile
China
Colombia
Costa Rica
Croatia
Czech Republic
Denmark
Ecuador
El Salvador
Estonia
Eswatini
Finland
France
Gabon
Germany
Guatemala
Hungary
Honduras
India
Ireland
Israel
Italy
Ivory Coast
Japan
Kazakhstan
Korea
Latvia
Lesotho
Lithuania
Luxembourg
Madagascar
Malawi
Mauritius
Mexico
Mongolia
Mozambique
Myanmar
Namibia
New Zealand
Nicaragua
Nigeria
Norway
Oman

2 April 2025

The Planning Inspectorate
Temple Quay House
The Square
Temple Quay
Bristol BS1 6PN

Our Ref: A02704
LPA Ref: F/24/98495
A/25/98751

Dear Sir/Madam

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Re: Installation of advertised communication hub unit with defibrillator
Site: Pavement Outside Swan Centre Car Park, Wells Place SO50 5PB

This letter accompanies joint appeals under section 78 of the above Act (as amended) and Regulation 17 of the above Regulations against the decision of the Eastleigh Borough Council as Local Planning Authority (LPA) to refuse planning permission (PP) and advertisement consent (AC) in respect of the above development.

The proposal is outlined in the application covering letter and seeks approval to install a single Communication Hub with the latest digital communication technology at the appeal site location. The proposal aims to provide an efficient, reliable and free to use public service, funded by the advertising revenue from the integral display. The proposal concerns the decisions of the Council to refuse PP and AC, for the proposed Communication Hub in the identified location. To avoid unnecessary duplication the nature of the proposal and the details on the Hub Unit are not repeated here as it is covered in some detail in the application submission.

JCDecaux UK Limited
Registered Office: 991 Great West Road – Brentford – Middlesex – TW8 9DN
Registered in England and Wales Registration Number: 1679670
Telephone : +44 (0)20 8326 7777
Fax: +44 (0)20 8326 7775 www.jcdecaux.com

JCDecaux

1. Appeal Background

The proposal is a hybrid development for a communication apparatus and advertisement combined on a single structure as detailed within the application documentation. As such, the development requires both planning permission and advertisement consent, which were determined under separated decision notices, conjoined in one proposal. The applications were submitted as one through the Planning Portal on the 14th of November 2024.

Throughout the application timeline the proposal received a number of responses to the statutory consultations[A]. The Town Council consultee viewed the proposed location acceptable and raised no objection. The Eastleigh Local Area Manager objected to proposal. The Eastleigh BID Team supported the proposal and the provision of defibrillators in the centre. Eastleigh's Highways Department provided no objection to the proposal and noted the Communication Hub was located in a non-obstructive position with adequate pedestrian space. The application received no representations from the public during the timeline.

In December 2024 we corresponded with the application's case officer who notified us of their intentions to refuse our applications following their consultations. We sought to address the concerns during the application process however it was noted there were no alternative solutions to be explored in the locality[B].

The Full Planning application was subsequently refused on the 20th of December 2024, and the Advertisement Consent application on 7th of February 2025. The reasons for refusing PP and AC are extracted below.

[A] JCD1 – A02704 - DR
[B] JCD2 – Application Correspondence

JCDecaux

Planning Permission - Reasons for Refusal

1. *The proposed development would reduce the flexibility of space enjoyed by pedestrian users and create an obstruction to the flow of pedestrian movements to the Town Centre to an unacceptable extent. As such this is in conflict with the principles of policies DM1 and E3 from the Eastleigh Local Plan (2016-2036)*

Advertisement Consent - Reasons for Refusal

1. The proposed advertisement sign would reduce the flexibility of space enjoyed by pedestrian users and create an obstruction to the flow of pedestrian movements to the Town Centre to an unacceptable extent. As such this is in conflict with the principles of policy DM1 from the Eastleigh Local Plan (2016-2036)

Policies DM1 and E3 from the Eastleigh Local Plan (2016-2036) documents are cited in support of the decisions. Notwithstanding the policies mentioned and in light of the terms of the 2007 Regulations, the main issues relating to the advertising appeals are the effect of the proposals on the operation of the streetscene within Eastleigh.

1. **Grounds of Appeal**

The Appellant considers that there are reasonable grounds to appeal the LPA's decision in this case, which are as follows:

- The proposed Communication Hub has been sited 0.6m from the kerb edge of the 5.9m wide section of pavement on Wells Place within the centre of Eastleigh. The appellant submits that the proposed Hub adheres to the policies within the Eastleigh Local Plan by maintaining a sensitive siting process, with the aim to offer significant public benefits while ensuring that any perceived harm is mitigated. The NPPF encourages local authorities to support sustainable development that meets the needs of the present and future generations. The development of a communication Hub in a well-travelled area where people are most likely to see and used the free services aligns with this principle, offering modern accessible infrastructure for all.

- While the proposed site is indeed located within a retail focused area of Eastleigh our site visit indicated that the installation can be seamlessly integrated into the streetscape without obstructing pedestrian or vehicular movement due to the pavement width being over 5.9m wide. The proposal site location has been chosen in accordance with the criteria set out in Transport for London's adopted standards

and best practice on footpath accessibility in Section 11.2 of the Streetscape Guidance (2022)[C].

- The hub consolidates multiple functionalities into a single unit, reducing the overall number of structures on the pavement minimising clutter. Furthermore, the installation of the hub aligns with the broader objectives of enhancing connectivity and digital infrastructure in the area, which ultimately contributes to the improvement of the public realm and function of the town centre of Eastleigh aligning with the goals of Policy DM1[D] and E3[E] of the Eastleigh Local Plan (2016-2036).

2. Conclusion

The grounds of appeal above are to be read in conjunction with the application submission relating to this appeal site proposal. The LPA's reasons for refusing planning permission and advertisement consent assert that the proposed advertisement displays would unacceptably harm the operation of the streetscene and would be against the interests of public safety, the appellant respectfully disagrees.

In conclusion, the planning application for the Communications Hub has been meticulously developed to address concerns regarding amenity, public safety, and visual impact. By adhering to relevant policies and industry standards, we ensure that the proposed installation looks to enhances the local environment while fulfilling its intended purpose as a valuable communication asset for the community.

The Appellant contends that the installation of a communication Hub unit would not be detrimental to the operation of the streetscene on Wells Place, Eastleigh. The Inspector is requested to uphold this appeal and to grant planning permission and advertisement consent as applied for.

Yours faithfully,

Stephen Herraghty AssocRTPI
Town Planner
JCDecaux UK

[C] JCD3 - Streetscape Guidance - TfL (2022) - Section 11.2
[D] JCD4 - Eastleigh Local Plan - Policy DM1
[E] JCD5 - Eastleigh Local Plan - Policy E3