



Appeal Decisions

Site visit made on 22 May 2023

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 June 2023

Appeal A Ref: APP/M5450/W/22/3308477

Pavement outside 4 Red Lion Parade, Bridge Street, Harrow HA5 3JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Thomas Johnston (J C Decaux UK Ltd) against the decision of the London Borough of Harrow.
 - The application Ref P/2437/22, dated 29 June 2022, was refused by notice dated 24 August 2022.
 - The development proposed is the installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.
-

Appeal B Ref: APP/M5450/H/22/3308479

Pavement outside 4 Red Lion Parade, Bridge Street, Harrow HA5 3JD

- 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 Mr Thomas Johnston (J C Decaux UK Ltd) against the decision of the London Borough of Harrow.
 - The application Ref P/2471/22, dated 29 June 2022, was refused by notice dated 24 August 2022.
 - The advertisement proposed is the display of one freestanding LCD sign.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. Appeal A relates to the refusal of planning permission for the proposed hub. Appeal B is in respect of refusal of advertisement consent for the LCD signage which would be an integral part of the proposed hub sought under Appeal A. I have considered both on their individual merits. However, to avoid repetition, I have dealt with the relevant issues concurrently, except where otherwise indicated.
 4. Powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of Appeal B, the policy referred to me by the Council has not therefore, by itself, been decisive.
 5. In Appeal B, I have taken the description of the proposed advertisement from the Council's Decision Notice as this is a more accurate description.
-

6. The proposal would lie close to the Pinner High Street Conservation Area. There is no dispute between the main parties that the hub would not have an adverse effect on the character and appearance of the Conservation Area. Pursuant to the duty under s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, having considered the proposal and visited the site I concur with that view. This is because of the intervening distance and siting of the proposal within a predominantly commercial setting. Accordingly, it is my view that the development proposed would preserve the character and appearance of the designated area and I shall make no further reference to this matter.

Main Issues

7. The main issues in both appeals are the effect of the proposal on:
- the character, appearance and visual amenity of the locality
 - pedestrian safety.

Reasons

Character, appearance and visual amenity

8. The site is situated within a pavement area at the junction of Love Lane with Bridge Street. The pavement width extends at the corner and accommodates a bench, litter bin, cycle stands, street signage and a lamp post. A double length bus shelter and telephone boxes lie a short distance to the southeast along Bridge Street.
9. The sign would be sited within the cluster of street furniture. On the wide radius of the corner and sited close to the pavement edge, it would appear to project out in views along Bridge Street from the northwest. Its size and illumination would cause it to appear unduly intrusive and impose significantly on the vista to the highly prominent corner.
10. Seen in conjunction with the immediate street furniture and backed by the visually successive bus stop and call boxes, it would appear overly dominant in its setting. It would reduce the open aspect at the corner and would not be a positive addition to the streetscape.
11. Moreover, the proposed siting near to the existing bench would mean that people sitting there would be faced with the large display in close proximity. In addition to reducing outward views, the changing illuminated images would be substantially unavoidable and impose on users of that existing facility.
12. For the above reasons, I find the proposal under Appeal A would conflict with Policies D3 and D8 of The London Plan [2021] (the LP), Policy CS1.B of the Harrow Core Strategy [2012], and Policies DM1, DM2 and DM49 of the Harrow Council Development Management Policies [2013] (the DMP) as they require development to respond positively to the local context and contribute to the principle of lifetime neighbourhoods and an attractive public realm.
13. For similar reasons, in relation to Appeal B, it would cause harm to the visual amenity of the locality. It would thereby conflict with Policy DM5 of the DMP and the National Planning Policy Framework.

Highway Safety

14. The widening dimension of the pavement close to the junction would retain adequate space for pedestrians to pass between the existing bench and the shop frontages immediately to the back of the pavement. Although there would be a reduction in the pavement width between the bench and kerb, sufficient width would remain to allow a reasonable degree of permeability at the corner.
15. However, the proposed location of the hub would lie close to the rear of the bus stop refuge on the south-bound carriageway of Bridge Street. At the time of my site visit, the bus stop was well used and frequently serviced by one or more buses on the stand. As the crossing on the southern arm of Bridge Street lies some distance forward of the stop, there would be some propensity for those alighting from the buses to walk to the rear of stationary vehicles to cross close to the junction roundabout to access shops and services on the opposite side.
16. The position and scale of the hub would limit views to those wishing to cross close to the junction. Views to both southbound traffic on Bridge Street and that joining from Love Lane would be reduced. Given the width, current openness and geometry of the junction, there is limited requirement for vehicles to slow to pass through it. Together with those existing highway circumstances, I find the proposal would reduce road safety close to the junction.
17. Furthermore, due to its height and siting, the hub would restrict views to an existing road sign announcing the pedestrian crossing a short distance beyond the bus stop. It would not therefore be conducive to protecting the best interests of pedestrians on the southern arm of Bridge Street.
18. I note the Council's highway advisor's concerns that it would impede access to temporary fixtures, including those associated with the Pinner Fair and other events. However, the nature and extent of any such harm is unclear from the evidence before me. I cannot therefore conclude that it would prejudice public safety in the locality as a consequence.
19. Nevertheless, for the above reasons, I find the proposal under Appeal A would conflict with Policy D8 of the LP as it seeks to maximise the contribution of the public realm for safe active travel; and Policies DM1 and DM2 of the DMP, which seek safe, sustainable and inclusive access and movement, and to strengthen pedestrian routes.
20. In relation to Appeal B, the advertisement would reduce visibility at the junction and to road signage. It would cause harm to public safety and conflict with Policy D5 of the DMP as it seeks to protect the safety of the environment for pedestrians.

Other Matters

21. I acknowledge the public benefits highlighted by the appellant in support of the proposal. The hub could provide improved high quality, reliable telecommunications connectivity through wi-fi, 4G and 5G capacities. It could offer opportunities for connecting with community and emergency services and the display of announcements by those organisations.
22. The proposal could provide economic benefits to local and other businesses through advertising. It could offer services to the public including wayfinding, device-charging and landline calls, for example. It would incorporate a

defibrillator for use in emergencies in conjunction with a partnership roll-out programme to improve their geographical availability. Furthermore, those facilities would be available without direct cost to the public purse and prioritise the use of renewable energy sources. These are benefits in favour of the development.

23. I also note the concern of a nearby business in relation to the potential for the display to obscure shopfront advertising. However, as local fascia signage is generally set higher than the proposed unit, which would have a limited side profile, the extent of screening of individual shop displays and advertising would be limited.

Conclusion

24. I have found that the proposals would be harmful to amenity through its effects on the character and appearance and use of the area. It would also prejudice highway safety in the locality. The extent of benefits that would arise would not outweigh the totality of the identified harm. There would be conflict with the development plan read as a whole and the requirement to control advertisements in the interests of amenity and public safety. Accordingly, I conclude that both Appeal A and Appeal B should be dismissed.

R Hitchcock

INSPECTOR