



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/22/3308474

Pavement outside 341 Station Road, Harrow HA1 2AA

- 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/2436/22, 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.
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Appeal B Ref: APP/M5450/H/22/3308475

Pavement outside 341 Station Road, Harrow HA1 2AA

- 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/2468/22, dated 29 June 2022, was refused by notice dated 24 August 2022.
 - The advertisement proposed is the display of one freestanding LCD sign.
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Decisions

1. Appeal A is allowed and planning permission is granted for the installation of a modern, multifunction hub unit featuring an integral advertisement display and defibrillator on the pavement outside 341 Station Road, Harrow, HA1 2AA in accordance with the terms of application Ref P/2436/22, dated 29 June 2022, subject to the conditions set out in a Schedule attached to this Decision.
2. Appeal B is allowed and express consent is granted for the display of one freestanding LCD sign as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the Schedule attached to this Decision.

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.
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.

Main Issues

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

Reasons

Character, appearance and visual amenity

7. The site lies within the pavement on the western side of Station Road. The locality forms part of the town centre area. The street is predominantly flanked by consecutive rows of buildings of 2 or 3 storeys in height. Amongst other commercial uses, the significant majority are shops and food outlets with ground floor window displays forming part of a Secondary Shopping Frontage. Upper floors appear to be in various uses.
8. The parades of buildings are set immediately to the back of the pavement. The frontages include various forms of fascia and projecting signage, some illuminated. Additionally, removable 'A' boards and displays mounted on bus stops are also present.
9. Along the length of the road the pavements feature various forms of street furniture including lamp posts, bins, bus stops, call boxes, electronics cabinets, cycle stands, street signs and young trees. The siting would align with the majority of the existing street furniture, which is located towards the kerb side of the pavement.
10. In the town centre, the proposed modern hub design would be comparable to existing examples of integrated communication facilities and free-standing electronic advertisements visible in the area. Although it would have a greater visual presence than much of the street furniture, as is intended, it would not appear overtly prominent or incongruous in this location. Furthermore, it would appear distinct from the more slender forms of nearby street furniture to avoid a collective appearance of clutter.
11. I note the comments of the Council's highway advisor and the Harrow Town Centre Business Improvement District Manager in respect of a desire to reduce street clutter. However, in the broad streetscape and wide pavement area, its scale would not overbear on pavement users or views along the wider streetscape.
12. The hub would also be sited distant from other units and have sufficient separation to the shop advertising and similarly-scaled bus shelter displays to avoid an excessive clutter of advertising in the locality.
13. For those reasons, I find that the proposal would preserve the character, appearance and visual amenity of the locality. It would align with Policies D3 and D8 of the London Plan [2021] (the LP), Policy CS1 of the Harrow Core

Strategy [2012] (the HCS) and Policies DM1, DM2 and DM49 of the Harrow Development Management Policies Local Plan [2013] (the DMP) as they require well designed development to positively respond to the character of their locations.

14. For similar reasons, the advertisement would preserve the amenity of the locality. It would thereby be consistent with Policy DM5 of the DMP and Paragraph 136 of the National Planning Policy Framework (the Framework).

Public safety

15. The hub would be located within a short distance of the kerb line on the western side of Station Road. It would be in rough alignment with the position of lamp posts and street trees along the local stretch of the road. Although of greater width than those street features, there would be adequate space for opposing pavement users to pass within the remainder of the pavement width without undue obstruction, even at peak use times.
16. The site would be at the rear extent of a marked bus stop area. There would be some propensity for travellers alighting from buses to move to the rear of standing vehicles before attempting to cross the road. The siting and dimensions of the hub would cause some reduction in visibility to road traffic approaching from the south or turning into Station Road from College Road.
17. Notwithstanding that Station Road has restricted access, at the time of my site visit, albeit a snapshot in time, it had frequent bus traffic travelling in both directions. However, there would be sufficient distance to the broad signalised junction with College Road and reasonable visibility between the sign and carriageway to provide adequate views to northbound traffic. Due to the curve in the road, views from the pavement edge to southbound traffic would be largely unaffected by the development.
18. Accordingly, I find the proposal would not materially affect highway safety or movement in the locality. It would be consistent with the requirements of Policies D3 and D8 of the LP, Policy CS1 of the HCS and Policies DM1, DM2 and DM5 of the DMP as, amongst other things, they seek new development and advertisements to achieve safe, secure and inclusive environments.

Other Matters

19. I note the concerns of the Secure by Design officer with respect to the particular version of the hub proposed; the preference for incorporated active CCTV; the recommendations for removal of existing call boxes, and that wi-fi facilities be initially switched off. I also acknowledge concerns in relation to servicing and open access to the defibrillator.
20. Although the appellant indicates that the proposal is a replacement for a payphone kiosk, there is little before me to confirm what, if any, existing infrastructure it might replace. Accordingly, I have considered the hub as a new proposal with no benefit attributed to the removal of any existing facility.
21. The implementation requirements for the operation, maintenance and security of the unit are detailed matters capable of being agreed and secured through planning condition/s.

Conditions

22. I have considered the suggested conditions from the Council and the appellant and had regard to Paragraph 56 of the Framework and the National Planning Practice Guidance in terms of the use of planning conditions. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. In the interests of providing a mechanism to mitigate any undesired effects of the hub, a condition in relation to its management is reasonable.
23. The advertisement consent would be subject to the 5 standard conditions, as set out in the Regulations. In addition, in the interests of safety, restrictions as to the nature and brightness of displayed images, their duration and transition are necessary.

Conclusion

24. For the reasons given above, I conclude Appeals A and B should be allowed.

R Hitchcock

INSPECTOR

Schedule of Conditions:

Conditions in relation to Planning Permission Ref. P/2436/22

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Communication HUB Proposal Site 3 Pavement opposite Outside 341 Station Road, HA1 2AA Site Plan and Images (A01956) (including location plan, site plan, on-street images and Communication Hub Unit appearance); and, Appendix A Hub Detail Unit.
3. Prior to the first display of any advertisement, a management plan shall be submitted to and approved in writing by the Local Planning Authority concerning the use and operation of the hub. The hub shall thereafter be operated in accordance with the agreed management plan.

Additional Conditions in relation to Advertisement Consent Ref. P/2468/22

1. All illumination shall be non-intermittent unless otherwise agreed in writing by the local planning authority.
2. The intensity of the illuminance of the advertisement display shall be no greater than 600Cdm⁻² during hours of darkness.
3. No visual effects of any kind shall be permitted to accompany the transition between any two successive images. The replacement image must not incorporate any fading, swiping or other animated transitional method.
4. The minimum time between successive displayed images shall be 10 seconds.

END.