



Appeal Decisions

Site visit made on 6 November 2024

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2024

Appeal A Ref: APP/F5540/W/24/3344321

Pavement o/s Nos 233-235 High Street, Hounslow TW3 1HG

- 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 Mr Nathan Still, In Focus Network Limited against the decision of the Council of the London Borough of Hounslow.
- The application Ref is 01565/E/P3.
- The development proposed is the installation of a multifunctional communication Hub including defibrillator and advertisement display, as illustrated in the attached documentation.

Appeal B Ref: APP/F5540/H/24/3344322

Pavement o/s Nos 233-235 High Street, Hounslow TW3 1HG

- 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 Nathan Stills, In Focus Network Limited against the decision of the Council of the London Borough of Hounslow.
- The application Ref is 01565/E/AD2.
- The development proposed is the installation of a multifunctional communication Hub including defibrillator and advertisement display, as illustrated in the attached documentation.

Decisions

1. Appeal A is allowed and planning permission is granted for the installation of a multifunctional communication hub including defibrillator and advertisement display, as illustrated in the attached documentation, at Pavement o/s Nos 233-235 High Street, Hounslow TW3 1HG, in accordance with the terms of the application Ref 01565/E/P3 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: A02436 - Communication Hub Proposal, Site Plan and Images and Appendix B Communication Hub Proposals, Hub Unit Detail.
2. Appeal B is allowed and express consent is granted for the advertisement display as applied for. The consent is for 10 years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The advertisement display shall be statically illuminated and the intensity of the illumination of the digital signs shall not exceed 2500 candelas per square metre during the day and 300 candelas per square metre during the hours of darkness in line with the maximum permitted recommended

luminance as set out by 'The Institute of Lighting Professionals Professional Lighting Guide 2023.'

- 2) The minimum display time for each advertisement shall be 10 seconds.
- 3) The interval between advertisements shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including fading, swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.

Preliminary Matters

3. The Council determined the appeal scheme as two separate applications, one for the proposed communication hub unit (Appeal A) and the other for the proposed advertisement display (Appeal B) and accordingly issued two separate decision notices.
4. Both appeals relate to the same site and to each other. I have considered each on its individual merits, but as they raise similar issues and to avoid duplication, I have dealt with them in a single decision letter.

Main Issues

5. Regarding Appeal A, the main issues are the effect of the proposed communication hub on the character and appearance of the area and highway safety.
6. Regarding Appeal B, the main issues are the effect of the proposed advertisement on visual amenity and public safety.

Reasons

Background

7. The site of these appeals is a section of pavement along High Street.
8. The proposed 'communication hub' is a standalone installation. In addition to facilitating free calls to landlines, this offers additional connective functions that includes free Wi-Fi, USB and wireless device charging, a 32inch touch screen to enable wayfinding, direct access to local webpages and a 24/7 publicly accessible defibrillator. The communication hub includes a larger advertisement display on one side.

Character and appearance

9. The High Street is a main shopping area comprising a relatively straight and wide pedestrianised thoroughfare. The appeal site is flanked by mainly modern buildings, incorporating large commercial frontages along with extensive signage and advertisements. Together, these contribute to a vibrant shopping environment and a modern townscape.
10. Street furniture is varied scales and designs. This including benches, bins cycle stands and other installations, some of which are similar to the proposal are mainly arranged centrally along the High Street and in some locations interspersed by trees. Because of this arrangement, pedestrians and other users of the High Street can use the areas either side of the street furniture to

travel along the High Street. There is also sufficient spacing between groupings of street furniture to allow users to cross the High Street.

11. Consistent with the existing street furniture, the communication hub would be located centrally along the High Street near to a grouping of street furniture comprising a streetlight, cycle stands and benches. Because of this alignment and proximity to other street furniture, the Communication Hub would not appear isolated.
12. At a height of approximately 2.63m and a more limited width and a slimmer profile, the scale of the communication hub would be absorbed by the nearby tree, other street furniture, the width of the pedestrianised area and the scale of adjacent built forms.
13. Due to its appropriate siting, scale and because of its modern design, the communication hub would assimilate with its commercial setting and modern townscape.

Visual amenity

14. As already stated, the appeal site is flanked by commercial frontages with a range of advertisements and signage. There are also advertisements on other similar communications apparatus within the High Street. As such, the proposed advertisement display within the communication hub, would be compatible with this context, and because of its considered siting, and scale relative to the communication hub, would be an acceptable addition to the public realm.
15. For the above reasons, the communication hub would not harm the character and appearance of the area and accords with Policies CC1, CC2 and CC5 of the Hounslow Borough Local Plan (2015-2030) ('LP'). Together, these policies seek to promote and support high quality urban design and the focusing of advertisements in town centres, shopping parades and areas of commercial activity.
16. Also, for the above reasons the proposed advertisement would not harm the visual amenity of the area. In accordance with the Regulations, I have also taken into account the provision of the development plan as far as it is material.

Highway safety

17. The High Street is heavily used by pedestrians, and to a lesser extent by cyclists and other users. Despite its siting, pavement areas about 7m in width would be retained on either side of the communication hub. There would also be appropriate spacing between the communication hub, and the streetlamp. This arrangement would ensure sufficient visibility and safe circulation around the communication hub for pedestrians, cyclists and other users who wish to cross the High Street, including by using spaces between street furniture and trees.
18. For the above reasons, the proposal would not compromise highway safety for pedestrians, cyclists and other users of the High Street. Accordingly, I find no conflict with LP Policy EC2, which seeks to maximise opportunities for walking, cycling and improving the public realm. The proposal also accords with LP Policy CC5. Amongst other things, this Policy requires that the advertisement

and associated structure does not adversely impact on pedestrian and vehicle movement and safety.

Public safety

19. The proposed advertisement display would be mainly visible to pedestrians, cyclists and other users of the High Street. Based on my findings on highway safety and because the illuminance, the display time of an advertisement and intervals between advertisements can be controlled by conditions, I am not persuaded that the proposed advertisement raises any significant public safety concerns.
20. For the above reasons, the proposed advertisement display would not harm public safety. In accordance with the Regulations, I have also taken into account the provision of the development plan as far as it is material.

Other Matters

21. I have dealt with other appeals from the appellant for a similar communication hub in a different location within the High Street. However, these appeals do not alter my findings on the main issues, as set out above.

Conditions

22. In respect of Appeal A, in addition to the standard timescale condition, I have imposed a condition specifying the relevant plans and documents as this provides certainty.
23. Appeal B is subject to the five standard conditions set out in the Regulations. I am also attaching three further conditions (1) (2) and (3) to avoid distraction in the interests of public safety.

Conclusions

24. For the above reasons, Appeal A and Appeal B are allowed.

M Aqbal

INSPECTOR