



## Appeal Decisions

Site visit made on 3 December 2024

**by Andrew McGlone BSc MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 6 December 2024**

### **Appeal A Ref: APP/H5960/H/24/3348142**

#### **Pavement o/s 134 Wandsworth High Street, London SW18 4JP**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) ("the Regulations") against a refusal to grant express consent.
- The appeal is made by Mr Nathan Still of Infocus Public Networks Limited against the decision of the Council of the London Borough of Wandsworth.
- The application Ref is 2024/0866.
- The advertisement proposed is a multifunctional communication hub including defibrillator and advertisement display, as illustrated in the attached documentation.

### **Appeal B Ref: APP/H5960/W/24/3348140**

#### **Pavement o/s 134 Wandsworth High Street, London SW18 4JP**

- 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 Infocus Public Networks Limited against the decision of the Council of the London Borough of Wandsworth.
- The application Ref is 2024/0853.
- The development proposed is a multifunctional communication hub including defibrillator and advertisement display, as illustrated in the attached documentation.

### **Decisions**

1. Appeal A is allowed, and express consent is granted for the display of a multifunctional communication hub including defibrillator and advertisement display, as illustrated in the attached documentation at pavement o/s 134 Wandsworth High Street, London SW18 4JP in accordance with the terms of the application, Ref 2024/0866. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the Regulations and the additional conditions in the attached schedule.
2. Appeal B is allowed, and planning permission is granted for a multifunctional communication hub including defibrillator and advertisement display, as illustrated in the attached documentation at pavement o/s 134 Wandsworth High Street, London SW18 4JP in accordance with the terms of the application, Ref 2024/0853, subject to the conditions in the attached schedule.

### **Main Issues**

3. The main issue in respect of Appeal A is the effect of the proposed advertisement on the visual amenity of the area. The main issues for Appeal B are the effect of the proposed development on (a) the character and appearance of the area and (b) the movement of pedestrians.

### **Reasons**

*Character and appearance, including visual amenity*

4. The appeal site relates to a section of pavement on the northern side of

Wandsworth High Street near its junction with Putney Bridge Road, towards the west of Wandsworth Town Centre. The site also lies within the Wandsworth Town Conservation Area ('the Conservation Area') and in front of the locally listed building of 134 Wandsworth High Street.

5. The pavement on either side of Wandsworth High Street contains a variety of street furniture. These include a bus shelter, street lighting columns, road signs, equipment cabinets, bins, and cycle stands. These reflect the dense, busy urban environment that makes up the Conservation Area and the street that the appeal site forms part of. Although there is variation in the Conservation Area, Wandsworth High Street contains some of the oldest surviving buildings that reflect the early origins of the town. Ribbon development dominates but is of a consistent scale and form. Commercial uses populate the street, and it is a main thoroughfare.
6. No 134 is the former prominent corner public house that was known as The Rose and Crown. The building was first recorded in 1721 and later rebuilt in neo-Georgian style. It comprises eight bays and two storeys. The first floor has cross windows set in red brick. Five dormer windows are set into the roof, enclosed by a balustraded parapet. The main entrance is set into a canted corner bay. The building is of social value as a public house of long-standing and of illustrative value as an important symbol of the presence of the brewing industry in the town.
7. 132 Wandsworth High Street is referred to by the Council as being a locally listed building, but the Wandsworth Town Conservation Area Appraisal No.19 ('the CA Appraisal') does not identify No 132 as such. Based on its scale, form, design, and the materials used, I do not consider No 132 to be locally listed.
8. The hub would consolidate multiple functions into a single unit, which, in tandem with the removal of the existing kiosk to the east of the appeal site near to the Grade II\* listed Church of All Saints, would reduce the number of structures, and thus visual clutter, along this stretch of pavement. The church's significance relates to its architectural and historic interest and is one of the few buildings set within its own grounds on Wandsworth High Street. Its setting would improve through the removal of the existing kiosk, as it would reduce the clutter near to the listed building.
9. The proposed hub would be sited in a reasonably wide stretch of pavement, leaving a good-sized amount of pavement for pedestrians to use. That said, the proposed hub would occupy a prominent position on the footway where existing street furniture is typically low scale save for the street lighting columns. However, its design would not, in the context of the range of nearby street furniture and shop fronts, unacceptably harm the character and appearance of the area, its visual amenities, or the setting of No 134, given the busy commercial environment that it sits within now and historically.
10. I recognise that the proposed advertisement would be within a public space, and it would draw people's attention on approach to the site, but that is its purpose. Nevertheless, within this busy commercial environment containing numerous shop fronts that display advertisements of different sizes, styles, illumination, and finishes, the proposed advert would not harm the visual amenity of the area.
11. I conclude that the proposed development subject of Appeal B would not harm

the character and appearance of the area, and thus it would preserve the character and appearance of the Conservation Area. Therefore, the proposal subject of Appeal B would accord with Policies LP1 and LP3 of the Wandsworth Local Plan 2023-238 (Local Plan), Policies D3 and D8 of the London Plan (LP) and the CA Appraisal. Among other things, these policies jointly seek development to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance, and shape; and ensure public realm is well-designed.

12. Further, I conclude that the proposed advertisement subject of Appeal A would not harm the visual amenity of the area. The Council has cited various policies. Having regard to these, I consider Local Plan Policy LP9 and LP Policy D8 are material in this case, and I find that the proposal would accord with them as they jointly seek adverts to be high quality, be well integrated with their context, have regard to the design of new or existing buildings, including in relation to listed buildings and Conservation Areas, and not contribute to a proliferation or clutter of signage.
13. For the reasons explained, the proposals would accord with section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Appeal B would accord with section 66(1) of the same Act.

#### *Pedestrian movement*

14. The proposal would, despite the nearby bike stands, bin, and street lighting column, reduce the width of the existing footway. However, the proposed hub subject of Appeal B would be set back from the kerb edge by around 0.7 metres, and despite the proposal's width, there would be around 3.5 metres of clear footway for people to use in front of the shop fronts of Nos 132 and 134. This would be considerably wider than the 2 metres sought by Transport for London's Streetscape Guidance. Although the footway may be part of a busy shopping environment and add a further piece of street furniture, it would not, in my view, impede pedestrian movement. There are good sightlines along the pavement, and the proposed hub would be far enough away from the pedestrian crossing to the west of the appeal site so that an obstruction would not be caused to pedestrian movements. Furthermore, there would not be any harm arising from the loss of a modest section of footway in a busy urban environment in terms of the provision of public open space in the borough.
15. For these reasons, the proposal subject of Appeal B would not harm the movement of pedestrians, and as such, conflict would not be caused with Local Plan Policy LP50 and LP Policies D3, D8, T2, and T4. Together these policies, among other things, seek to encourage and facilitate active travel with convenient, safe, accessible, and inclusive pedestrian and cycling routes.

#### **Conditions**

16. In respect of Appeal A, I have imposed conditions concerning the advertisement's illumination and the display in the interests of the amenity of the area. For Appeal B I have imposed an approved plans condition in the interests of certainty and, for the same reason, a condition requiring the removal of the existing kiosk. A condition is also necessary in the interests of safety to ensure that the footway and carriageway are not blocked while the development is carried out.

#### **Conclusions**

17. I have found that the proposal subject of Appeal A would not harm the visual

amenity of the area, and I agree with the Council's view on public safety.

18. The proposed development subject of Appeal B would accord with the development plan, and there are no material considerations indicating that a decision should be made other than in accordance with it.
19. For the reasons given above, I conclude that Appeals A and B should be allowed.

*Andrew McGlone*

INSPECTOR

## SCHEDULE OF CONDITIONS

### Appeal A

- 1) Illumination for the proposed sign must remain below the limit set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements including digital displays" (PLG05/23, 2023). Lighting shall be set at a maximum of 300 cd/m<sup>2</sup> lighting, or maximum lighting levels (such as for digital displays) are set in accord with nighttime maximums.
- 2) There shall be no special effects (including noise, smell, smoke, animation, exposed cold cathode tubing, flashing, scrolling, three dimensional, intermittent, or video elements) of any kind. The minimum display time for each advertisement shall be 5 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features/equipment which would allow interactive messages/advertisements to be displayed. The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display shall include a mechanism to freeze the image in the event of a malfunction.

### Appeal B

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos A02468 and page 12 of Appendix B.
- 3) Prior to the completion of the works hereby permitted, the existing kiosk listed on approved drawings A02468 shall be removed and retained as such.
- 4) The footway and carriageway on the A205 Wandsworth High Street must not be blocked during the development works. Temporary obstructions during the development works hereby permitted must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the A205 Wandsworth High Street. All vehicles associated with the development must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions. No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work, separate licences may be required with TfL.

END OF SCHEDULE