



Appeal Decision

Site visit made on 15 November 2024

by Rebecca McAndrew, BA Hons, MSc, PG Dip Urban Design, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th March 2025

Appeal A Ref: APP/F5540/W/24/3345346

203A High Street, Brentford, Hounslow TW8 8AH

- 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 London Borough of Hounslow.
- The application Ref is 00607/203A/P2.
- The development proposed is the installation of a multifunctional communication Hub including defibrillator and advertisement display.

Appeal B Ref: APP/F5540/W/24/3345347

203A High Street, Brentford, Hounslow TW8 8AH

- 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 Still, In Focus Network Limited against the decision of the London Borough of Hounslow.
 - The application Ref is 00607/203A/AD2.
 - The development proposed is the installation of a multifunctional communication Hub including defibrillator and advertisement display.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Procedural Matter

3. As set out above, there are two appeals on this site which relate to the proposed multifunctional communication hub with advertisement display. Appeal A relates to the planning application and Appeal B to the application for advertisement consent. I have considered each appeal on its individual merits. However, as they raise similar issues, and to avoid duplication, I have dealt with the two appeals in a single decision letter.
4. The appellant's appeal form for Appeal A is dated 30 May 2024 and states that the appeal is made against the Council's failure to give notice of its decision within the appropriate period. The Council proceeded to issue a decision on 18 June 2024, prior to the start date of the appeal (22 July 2024). However, the Council's decision notice refers to an application for advertisement, rather than planning, consent. This decision is therefore not valid. Consequently, I have dealt with Appeal A as an appeal against non-determination.

5. A revised National Planning Policy Framework (the Framework) was published during the consideration of this appeal on 12 December 2024. The references in my decision to the Framework relate to this new document.

Main Issues

6. In respect of both Appeal A and B, the main issues are;
- i. The effect of the proposal on the amenity of the area, including the character and appearance of the Butts Conservation Area (BCA); and
 - ii. The effect of the proposal on pedestrian and highway safety.

Reasons

Background

7. The proposed communication hub with advertisement display would be sited within a wide footway on Brentford High Street. It would be a standalone installation and would measure 2.6 metres in height, 1.3 metres in width and 0.3 metres in depth. It would include an advertisement on one side and a variety of communication facilities on the other, including free Wifi, device charging, a touch screen to access a range of information and a defibrillator.

Amenity

8. The proposed communication hub, which includes an advertisement, would be located at the edge of The Butts Conservation Area. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.
9. Brentwood High Street is a main shopping area. The area in which the hub would be located includes mid-20th century properties and a range of street furniture, including bins, cycle racks, a variety of signage, lighting columns and a post box. Whilst advertisements are common features in commercial areas, the proposed hub would be significantly larger and bulkier than other street furniture in the vicinity. The proposal would introduce a relatively large structure to an already cluttered area, which would therefore appear as incongruous and overly prominent structure within the streetscene.
10. Other street furniture in the vicinity of the proposed hub is largely located centrally within the wide footway. By contrast, the proposal would sit close to the edge of the carriageway. As such, whilst it would be viewed in the context of other street furniture, the proposed hub would intrude into this informal buffer which would add to its prominence within the streetscene.
11. I recognise that aspects of the proposed advertisement screen, such as the rate of image change, the use of only static images and screen brightness could be controlled by condition. This would limit the effect of the proposed advertisement screen itself on the amenity of the area. However, this would not outweigh the overall harm which the proposed communication hub with advertisement display would have on the site and CA as I have described.
12. In view of the above, the proposed hub with advertisement display would fail to preserve the character and appearance of the CA. The harm to the significance of

the CA would be less than substantial. I have attached considerable importance and weight to avoiding any such harmful effect on the CA in accordance with Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 ('the Act'). The Framework advises that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. Whilst the proposed hub and advertisement display would provide moderate economic benefits, any public benefits would not be significant enough to outweigh the harm to the CA that I have found.

13. Taking all of the above into account, I conclude that the proposed communication hub with advertisement display, by reason of its position, size and design would adversely affect the visual amenity of the site and area. As such, the appeal proposal would fail to preserve or enhance the character and appearance of the Conservation Area. The proposal would conflict with London Borough of Hounslow Local Plan 2015 – 2030 (2015) Policies CC1, CC2, CC4 and CC5. Together, these seek to promote high quality design which safeguards the CA. For the same reason, the proposal would be contrary to the provisions of Sections 12 and 16 of the Framework.

Public Safety

14. The existing footway experiences a good level of footfall. The proposed communication hub with advertisement display would be located within the relatively wide footway, close to the carriageway. Consequently, ample space would be retained for the free flow of pedestrians along this route and it would not harm the permeability of the area for pedestrians.
15. As discussed above, various aspects of the proposed advertisement screen could be conditioned. On this basis, I am satisfied that this would also ensure that the proposal would not be a distraction to roadusers and would therefore safeguard highway safety.
16. In view of the above, there would be no conflict with LP Policy CC5 which requires that proposals do not impact on pedestrian and vehicle movement in these respects.
17. I acknowledge the Council's concerns that the proposed hub would be sited within the stretch of the footway where TfL's proposed Cycleway 9 scheme would run. However, given that I have limited details before me of this proposal, I am unable to consider whether the hub would impact on the viability of proposed Cycleway 9 and the associated pedestrians and cyclist safety. I therefore cannot determine whether, in this respect, the proposal would safeguard public safety and accord with LP Policy EC2 which seeks to maximise opportunities for walking, cycling and improving the public realm.

Other Matters

18. In considering this appeal I have attached moderate weight to the public benefit that this facility would bring. However, this would not outweigh the undue harm to amenity that I have found.

Conclusion

19. I have found that the communication hub with advertisement display proposed in Appeals A and B would cause unacceptable harm to the character and appearance of the area and would fail to preserve the character and appearance of the BCA. Although the harm would be less than substantial, I have found that the public benefits would not be sufficient to outweigh it.
20. I have found that both Appeal A and Appeal B would not unacceptably affect public safety by reason of harm to pedestrian movement and safety. However, given a lack of information, I have been unable to determine whether the proposed hub would impact on viability of the proposed TfL Cycleway 9. Nevertheless, given that I have identified unacceptable harm to amenity, the appeal proposal would not meet the overall requirements of the LP and the Framework.
21. For the reasons given above, and having regard to all other matters raised, I therefore conclude that both Appeals A and B should be dismissed.

Rebecca McAndrew

INSPECTOR