



Appeal Decisions

Site visit made on 2 April 2025

by **C Rose BA (Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 April 2025

Appeal A Ref: APP/Z1775/W/24/3355812

Opposite Portsmouth and Southsea Station, Commercial Road, Portsmouth PO1 1EQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Ollie Smith, Urban Innovation Company (UIC) Ltd against Portsmouth City Council.
 - The application Ref is 24/00910/FUL.
 - The development proposed is Installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal B Ref: APP/Z1775/H/24/3355813

Opposite Portsmouth and Southsea Station, Commercial Road, Portsmouth PO1 1EQ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Mr Ollie Smith, Urban Innovation Company (UIC) Ltd against Portsmouth City Council.
 - The application Ref is 24/00911/ADV.
 - The advertisement proposed is Installation of "Pulse Smart Hub" with integrated digital screens.
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Decisions

Appeal A:

1. The appeal is allowed and planning permission is granted for Installation of "Pulse Smart Hub" with integrated digital screens Opposite Portsmouth and Southsea Station, Commercial Road, Portsmouth PO1 1EQ in accordance with the terms of the application, Ref 24/00910/FUL, subject to the following conditions:
 - 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: Port-CR/2024/01 Rev No. D Site Location Plan; Port – CR/2024/03 Rev No.D Proposed Site Plan; and, Port-CR/2024/04 Rev No.D Proposed Elevations/Technical Specifications.

Appeal B:

2. The appeal is allowed and express consent is granted for the Installation of "Pulse Smart Hub" with integrated digital screens Opposite Portsmouth and Southsea Station, Commercial Road, Portsmouth PO1 1EQ in accordance with the terms of the application, Ref 24/00911/ADV. 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 2007 Regulations.

Preliminary Matters

3. Appeal A concerns an application for planning permission to erect a "Pulse Smart Hub" with integrated digital screens. Appeal B concerns an application for express consent to display advertisements on the "Pulse Smart Hub" integrated digital screens. I have considered each on its individual merits. However, as they raise similar issues, I have combined both decisions into a single decision letter.
4. The Council has resolved that, had the appeals against non-determination not been made, it would have granted planning permission and advertisement consent, subject to conditions. I have had regard to this resolution in determining the appeals.

Main Issues

5. From the submitted documents from both main parties I consider that the main issues in these cases are:
 - for both appeals A and B; the effects of the proposals on the character and appearance/amenity of the area.
 - for Appeal B only; the effect of the proposal on public safety.

Reasons

Character and appearance/amenity

6. The appeal site is located on a very wide footway opposite Portsmouth & Southsea Rail Station in a busy city-centre location. The footway is adjacent to crossroads that link the station to Commercial Road, that as the name suggests, is predominantly commercial in character with tall buildings. There are various types of street furniture in the vicinity such as traffic lights, streetlights, cycle racks, signage and adverts. This includes a large billboard on the south facing elevation of the commercial building immediately adjacent to the appeal site.
7. The proposals comprise the installation of a bright red framed 'pulse-point' interactive advertisement/phone box. The point would include a public access phone and Wi-Fi, mapping, local information, two digital advertising screens, emergency button, defibrillator, air quality monitoring and USB charging facilities. The internally illuminated digital advertising would be for commercial use.
8. By reason of the busy city centre commercial location of the appeal site, in an area with high levels of advertising and street furniture of varying colours and designs, the appearance of the hub and associated advertisement displays would not be unusual. Given their size, the hub and advert screens would not appear prominent set against the large-scale buildings of the immediate location and the billboard to the side of the adjacent commercial building.
9. While the proposal would introduce a new structure fairly close to the grade II listed Portsmouth and Southsea train station. The parties agree that given its size and position on the opposite side of the road in a commercial context, it would not affect the main views of the station, and it is considered that the setting of the station would be preserved with no harm caused. I have no reason to disagree.

10. It follows from the above that in relation to Appeal A, the proposed Smart Hub structure would not be harmful to the character and appearance of the area. This would accord with policies PCS4 and PCS23 of the Portsmouth Local Plan. Amongst other things, these seek to ensure that development is well designed and relate to their surroundings.
11. With regards to Appeal B, it also follows that the proposal would not have an unacceptable effect on the amenity of the area. The policies of the development plan have been considered as far as they are material, and in this respect, the scheme would not conflict with the development plan.

Public Safety

12. I visited the appeal site around mid-day and at the time, traffic levels were moderate and average speeds of vehicles were low by reason of the traffic-signalled junction. As such, there would be limited scope for the advertisement to distract drivers and increase the risk of conflict with pedestrians.
13. By reason of the very wide footway that the proposal would be sited on, there are no concerns regarding the movement of pedestrians or other users of the footway.
14. Based on the above, the advertisement proposed as part of Appeal B would not result in a harmful effect on public safety.

Conditions

15. The Council has provided a list of suggested conditions in the event that the appeals are allowed, which the appellant had the opportunity to comment on.
16. In the interests of certainty, with regard to Appeal A I have imposed the standard conditions relating to the commencement of the development and specifying the approved plans.
17. In respect of Appeal B, the five standard conditions as set out in the Regulations will apply as confirmed in the Decision paragraph above.

Conclusion

18. For the reasons given above both appeals should be allowed.

C Rose

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/Z1775/W/24/3355812	Urban Innovation Company (UIC) Ltd
Appeal B	APP/Z1775/H/24/3355813	Urban Innovation Company (UIC) Ltd