
Appeal Decisions

Site visit made on 15 July 2025 by R Dickson BSc (Hons) MSc MRTPI

Decision by Helen Hockenhull BA(Hons) B.PI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2025

Appeal A Ref: APP/Z3635/W/25/3360852

Land outside 73-75 High Street, Staines-upon-Thames TW18 4PP

- 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 Thomas Johnston of NWP Street Limited against the decision of Spelthorne Borough Council.
 - The application Ref is 24/01402/FUL.
 - The development proposed is for the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
-

Appeal B Ref: APP/Z3635/H/25/3360853

Land outside 73-75 High Street, Staines-upon-Thames TW18 4PP

- The appeal is made under Regulation 17 of the Town and Country Planning Act 1990 (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Thomas Johnston of NWP Street Limited against the decision of Spelthorne Borough Council.
 - The application Ref is 24/01403/ADV.
 - The development proposed is for the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display
-

Decision – Appeal A

1. The appeal is dismissed.

Decision – Appeal B

2. The appeal is dismissed.

Appeal Procedure

3. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

4. There are two appeals relating to the site, one against a refusal of planning permission and the other against a refusal of advertisement express consent. They are intrinsically linked as one concerns the kiosk unit upon which an advertisement would be displayed. Both appeals raise similar issues. Whilst considering each appeal on its own merits this decision letter considers both appeals in one.

Planning Policy: Appeal A

5. The provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, under Article 3(1) and Schedule 2, Part 16, Class A, Paragraph A.3(4) require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis. I have had regard to the policies of the development plan and the Framework only in so far as they are a material consideration relating to matters of siting and appearance.

Planning Policy: Appeal B

6. The provisions under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) require the local planning authority to assess the proposed development solely on the basis of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

Main Issues

7. In respect of both appeals the local planning authority has not raised concern with regard to public safety.
8. The main issues are the effect of the proposal on the character and appearance of the area (Appeal A), and the effect of the advertisement on visual amenity (Appeal B)

Reasons for the Recommendation

9. The appeal site is situated on High Street, a modern pedestrianised shopping area with a range of uses including banks, coffee shops and restaurants. The street is wide, and during my site visit there were market stalls near to the appeal site. Lamp posts line High Street with a few trees. There are bollards at regular intervals, as well as benches, waste bins and a telephone box. The High Street is defined by being wide and open with a busy and vibrant character.
10. The businesses on High Street contribute to the vibrancy of the area. There are a range of existing advertisements on the street, which include fascia and projecting signs on the majority of shops relating to the businesses occupying the units. Some A frame and swinging boards are positioned on the pavement outside of shops. Together with the existing street furniture, the pavement mounted advertisements contribute to the visual clutter on the street, eroding its open character.
11. High Street already has some digital advertisement boards along its length, the nearest of which are visible from the appeal site. Although the structures do not appear to have the same functionality as the proposed kiosk, they add to the number of permanent structures on the pavement, contributing towards the existing visual clutter identified above. The proposed kiosk would add another structure to the street and would form a large prominent addition when compared to other street furniture near to the appeal site. An additional digital advertising board would increase the visual clutter within the street scene, resulting in the wide and open character of the area being eroded.

12. The proposed digital advertisement would have a different relationship with High Street compared to the static advertisements, which relate to the businesses in the area. Although the digital advertisement would have a limited contribution to the vibrant character of the area, the advertisements, which would change every 10 seconds, would draw attention increasing the perception of visual clutter within the area. The overall effect would diminish the wide and open character of High Street.
13. I acknowledge that the kiosk would have the benefit of additional facilities such as a telephone, 4G/5G connectivity and a defibrillator. There is an existing telephone box near to the appeal site, therefore the benefit of providing a telephone as part of the appeal proposal is limited. Limited weight is also given to the defibrillator as there is an existing defibrillator approximately 140m away from the site. The 4G/5G connectivity and defibrillator is a benefit of the proposal, together with the tree planting scheme, however these benefits do not outweigh the harm to the character and appearance of the area caused by Appeal A, or the harm to the visual amenity of the area resulting from Appeal B.
14. Conditions have been put forward that could control the timing and images displayed and/or the level of illumination. The advertisement proposal would also be subject to the five standard conditions as set out in the Regulations. However, given my findings above, I do not consider that the harm I have identified above would be sufficiently outweighed to allow planning permission or advertisement consent to be granted.
15. For these reasons, I conclude that the proposed telephone kiosk would have a harmful effect on the character and appearance of the area (Appeal A), and the visual amenity of the area (Appeal B).
16. I have taken into account policy EN1 of the Spelthorne Borough Council's Core Strategy and Policies Development Plan Document (2009) which seeks to ensure that developments make a positive contribution to the street scene (Appeal A), together with paragraph 141 of the National Planning Policy Framework (2024) (the Framework) which deals with the quality and character of places in relation to advertisements (Appeal B). These policies are material in the cases before me. Given I have concluded that the proposals would harm the character, appearance and visual amenity of the area, the proposals conflict with policy EN1, and fail to achieve the aims of the Framework.

Conclusion and Recommendation

17. For the reasons given above and having had regard to all other matters raised, I recommend that both Appeals A and B should be dismissed.

R. Dickson

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Helen Hockenfull

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/Z3635/W/25/3360852	NWP Street Limited
Appeal B	APP/Z3635/H/25/3360853	NWP Street Limited