
Appeal Decisions

Site visit made on 27 August 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 October 2025

Appeal A Ref: APP/Z3635/W/25/3360849

Land outside 46-48 High Street, Staines-upon-Thames TW18 4DY

- 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 NWP Street Limited against the decision of Spelthorne Borough Council.
 - The application Ref is 24/01400/FUL.
 - The development proposed is for the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display
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Appeal B Ref: APP/Z3635/H/25/3360851

Land outside 46-48 High Street, Staines-upon-Thames TW18 4DY

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by NWP Street Limited against the decision of Spelthorne Borough Council.
 - The application Ref is 24/01401/ADV.
 - The advertisement proposed is for the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
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Decision

1. Both appeals are dismissed.

Appeal Procedure

2. 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.

Preliminary Matters and Main Issues

3. Notwithstanding the descriptions set out above, appeal A relates to planning permission for the hub and Appeal B advertisement consent thereon. To avoid duplication, I have dealt with the two schemes together. In respect of Appeal B, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 sets out the relevant considerations for this type of appeal. These are amenity and public safety
4. The main issue of Appeal A is the effect of the installation on the character and appearance of the area with particular regard to the setting of a listed building. These both translate to amenity for the purposes of appeal B and the above-mentioned regulations.

Reasons for the Recommendation

5. The High Street is a busy and vibrant location with a steady and constant flow of pedestrians, shop patrons and users of what appears to be a central market stall area. It is an otherwise relatively open and unincumbered street scene consisting of retail units, banks and cafes on the ground floor with other uses on the upper floors. The buildings vary in their styling and there are some good examples of period architecture mixed with some modern interventions. The wider street scene consists of a limited amount of street furniture which is evenly and well-spaced and includes traditional lampposts, trees and a few illuminated advertisement boards along with occasional seating.
6. The adjacent listed building at Number 44,46 and 48 High Street, on the ground floor, consists of a Santander shop front. It has a traditional feel, finished in a muted dark colour and includes a centralised entrance flanked by inset full height display windows. Signage is limited and unobtrusively single coloured. The upper floors are brick with evenly spaced vertically sliding sash windows with fanned header courses and contrasting banding. What appears to be a large single span oversailing crown roof with decorative eaves detailing sits atop.
7. The quality of the building's architectural elements is highly prominent due to the building's street frontage location, span and completeness. It's imposing appearance in this respect gives it a strong presence in the street scene to which it positively contributes. The appreciation of its significance in the above respects is supported by the largely open and unincumbered character of the public realm outside it.
8. The proposed kiosk would be sited within the open high street which given its scale and positioning would give rise to a prominent structure which would resultantly add to a cluttering effect and a further unacceptable erosion of its openness. A lot of existing clutter within the street is temporary and does not impinge unacceptably. Some instances of digital advertisement have begun to creep in along the street; the addition of this kiosk would emphasise such an effect and lead to unacceptable proliferation. Whilst the kiosk has attempted to nod towards traditional approaches akin to a telephone box, its scale and siting in combination with the advertisement would be an overly modern intervention which would, as well as the above, detract from the appreciation of the qualities and thus setting of the adjacent listed building.
9. In terms of the illuminated advertisement, it would be intrinsically linked with the kiosk, and one cannot happen without the other. The level of illumination and changing nature thereof would be modest. However, it would be a further detractor to the presence of the listed building for the above reasons, as well as the traditional muted and limited palette qualities of the shop front with which it would be closely related. The proposed conditions suggested by the appellant to overcome the concerns raised above would be insufficient to make the schemes acceptable.
10. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states special regard to the desirability of preserving the building or it's setting and any features of special architectural or historic interest it possesses. Nationally speaking, Paragraph 212 of the National Planning Policy Framework (the Framework) places emphasis on great weight being given to an asset's conservation. Given the above assessment, the proposal would not preserve the

setting of the listed building. Due to the scale of the development in context, the harm is to the lower end of less than substantial in regard to appeal A. As directed by paragraph 215 of the Framework, and in terms of Appeal A, this should be weighed against the public benefits of the proposal

11. The kiosk would supply a defibrillator to the local high street along with an additional significant number of services including free calls and Wi-Fi. That said, these benefits would be relatively limited and only when in the close proximity of the kiosk. The installation of a defibrillator can only be afforded limited weight due to the number of other defibrillators within the locality with the closest being only 140m away and it is unclear as to whether the kiosk is the sole means of achieving one here. The appellant is working with a charity for the planting of new trees and whilst I commend them for this work, I have not been provided with any details of how this would be implemented away from the appeal site and thus secured by any permission that might be granted. I can therefore give these matters only limited weight.
12. It is sufficiently clear, given the above, that the public benefits would not outweigh the harm to the setting of a listed building. In terms of Appeal A, the scheme would therefore conflict with Policies EN1 and EN5 of Spelthorne Borough Council's Core Strategy and Policies Development Plan Document 2009 and the National Planning Policy Framework 2024 which seeks to ensure that development proposals are of a high-quality design and standard. In terms of Appeal B, with this and the above in mind, the advertisement signage taken as a whole would be unacceptable in amenity terms and would fail an assessment under the above-mentioned regulations.
13. The Council has drawn my attention to Policies EN1 and EN5 which seek to ensure that proposals are of a high quality with particular regard to amenity. The policies are a material consideration for appeal B and as a result of the above the scheme would not sit appropriately with their aims. They have not been decisive.

Conclusion and Recommendation

14. For the reasons given above the appeal schemes would not comply with the development plan and fail an assessment against the regulations referred to respectively. I have been given no compelling reasons, taking into account other material considerations advanced and the scope of the regulations to deviate therefrom. I therefore recommend that the appeals should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeals are dismissed.

John Morrison

INSPECTOR