



Appeal Decisions

Site visit made on 8 September 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 October 2025

Appeal A Ref: APP/Y3615/W/25/3366572

Pavement outside 65-66 North Street, Guildford, Surrey GU1 4AH

- 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 of In Focus Public Networks Limited against the decision of Guildford Borough Council.
- The application Ref is 25/P/00232.
- The development proposed is installation of a freestanding telephone apparatus with integral defibrillator and advertisement.

Appeal B Ref: APP/Y3615/H/25/3366573

Pavement outside 65-66 North Street, Guildford, Surrey GU1 4AH

- 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 Mr Nathan Still of In Focus Public Networks Limited against the decision of Guildford Borough Council.
- The application Ref is 25/P/00233.
- The advertisement proposed is installation of a freestanding telephone apparatus with integral defibrillator and advertisement.

Decision

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. An application for planning permission (Appeal A) and advertisement consent (Appeal B) was made for the same site. The advertisement would be on the proposed hub and the two elements would be inter-related. I have therefore dealt with them together in my reasoning.
4. In respect of the advertisement appeal, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. Regard does not need to be had to the development plan. I have taken relevant policies into account as a material consideration, however, they have not, by themselves, been determinative for this appeal.

Main Issues

5. The main issues common to both appeals are:
- The effect of the proposal on the character and quality of the public realm; and
 - The effect of the proposal on public safety, with particular regard to highway safety.

Reasons

6. The appeal site is situated within Guildford Town Centre Conservation Area (CA) on an area of pavement on the southern side of North Street, by the junction between Market Street and North Street. Surrounding the site are traffic signs, traffic lights, a parking pay machine, a refuse bin, a way finding sign and a utilities box. 'A' boards are also visible within the vicinity of the site.
7. The surrounding area is urban in character and comprises a mix of uses, with predominantly commercial, retail and leisure uses at ground floor level and residential flats above. The southern side of North Street comprises mostly buildings of traditional design and architecture. The building opposite the appeal site is a more modern addition to the street scene.
8. The proposal is for a communications hub with integral defibrillator and advertisement screen. The front of the hub would feature a projecting canopy and an integral defibrillator. The front would also offer a range of services including ultra-fast wifi, a touch screen service offering free phone calls, wayfinding, device charging, rapid connection to emergency services and public messaging capabilities. It can also be a platform for other technologies to capture environmental data, air quality monitoring and CCTV. The rear of the hub would feature an 86" LCD illuminated advertisement screen. Advertisements would be shown in a sequence of static or dynamic images, changing every 8-10 seconds. An inbuilt light sensor would illuminate to a maximum of 300Cdm² at night.

Character and quality of the public realm

9. Well-designed and functional street furniture can integrate successfully within urban environments, however, a standard design would not be appropriate in every environment.
10. The proposed hub would be of a standard design within a prominent location, and, given its large scale and functional appearance would appear incongruous within its setting. The proposal would add to the existing street furniture on a relatively small section of pavement which sees high levels of footfall and would result in an unacceptable level of visual clutter, to the detriment of the character and quality of the public realm within which it would be located.
11. In conclusion, the proposal would result in unacceptable visual clutter, detrimental to the character and quality of the public realm and would conflict with Policies D1 of the Guildford Borough Local Plan: Strategy and Sites (2015) (LPSS) and Policies D4 and D10 of the Guildford Borough Local Plan: Development Management Policies (2023) (GBLP). These policies seek to achieve high quality design that responds to the distinctive local character within which it is set. Whilst development plan policies are not determinative in respect of applications for

advertisement consent, I have taken them into account as a material consideration.

Highway safety

12. Paragraph 116 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.
13. The proposed hub with associated advertisement would be located on an area of public highway that is required in order to be able to deliver a component of the wider package of highway improvements in association with the consented North Street development (23/P/01211). The appellant disputes the location of the appeal site is within the area of land covered by 23/P/01211, however, a review of application 23/P/01211 shows the site is within the application boundary.
14. Planning permission 23/P/01211 has been implemented and the conditioned highways improvement scheme is currently undergoing detailed design, however the entire junction area where North Street meets Market Street is proposed to be improved as part of the works. The provision of a hub at this location could prejudice the delivery of essential highway works, which are a requirement for the delivery of the consented North Street Development.
15. I accept that street furniture can be repositioned. However, I have not been provided with any mechanism to secure this which would be dependent on timescales which are at present unknown. The wider highways improvement scheme will be a significant public benefit and it would not be appropriate to permit the appeal scheme and risk hindering delivery of the highways improvement.
16. In conclusion, until the highways improvement scheme design has been completed, it is not possible to ascertain whether the proposal would result in an unacceptable impact on highway safety, taking into account all realistic future scenarios. The proposal would therefore also conflict with Policy D10 of the GBLP which seeks to ensure the proposal would cause no harm to amenity or public safety. Whilst development plan policies are not determinative in respect of applications for advertisement consent, I have taken them into account as a material consideration.

Other Matters

17. The Council has identified 17 North Street, Guildford Institute and the Former Royal Arms Temperance Hotel as nearby Grade II listed buildings, in addition to locally listed nos 67-71 North Street and 12 North Street. The significance of the locally listed building to the east and on the northern side of North Street would remain interpretable from within the street scene and their significance would be preserved. The distance between the site and the listed buildings is such that the proposed development would not adversely affect the significance of the buildings as heritage assets or the manner in which they are experienced. I note the Council has not raised any concerns over the effect on the settings of the locally listed and listed buildings and I have no reason to take a different view.

18. The site lies within the Guildford Town Centre Conservation Area (CA). Section 72(1) of the LBCA requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA. This statutory duty also applies to advertisements in consideration of amenity.
19. The appeal site lies within the High Street character area. Guildford Town Centre Conservation Area Character Appraisal identifies narrow alleys connecting North Street to the High Street as specific features of the CA. The proposal would be located at the end of Market Street, a narrow alley. North Street itself is characterised by fewer listed buildings with some large modern blocks and is blighted by busy traffic with poor pedestrian movement.
20. Given that North Street encompasses fewer listed buildings than the High Street and large modern blocks of development, the more modern appearance of the hub would not be overly contemporary for this location. Illumination within this part of the CA is not uncommon and would be static with controls on the illumination levels and changing images such that the illumination would not detract from the special character of the CA.

Planning Balance and Conclusion

21. The proposal would result in harm to the character and quality of the public realm to which significant weight is given. Given that the proposed hub would be located on an area of public highway which is required in order to be able to deliver a component of the wider package of highway improvements in association with the consented North Street development (23/P/01211), the proposal could prejudice these essential highways works and it is not possible to determine whether the proposed hub would result in an unacceptable impact on highway safety, taking into account all realistic future scenarios. This also weighs against the proposed development.
22. The identified benefits of the proposal include a defibrillator, ultra-fast wifi, free calls to charities and landlines, wayfinding, device charging, rapid connection to emergency services, public messaging and data capture. However, no deficiency in 4G coverage has been identified within the vicinity, or a lack of telephone facilities. This tempers the weight I can attach to the benefits, alongside device charging, public community messaging and the capturing of data.
23. There is a defibrillator within a two-minute walk of the appeal site which is accessible 24 hours. Three other defibrillators are available within a two-minute walk that are accessible during opening hours. For this reason, I attach this benefit only moderate weight.

Appeal A

24. In conclusion, the benefits of the hub do not outweigh the harm that would be caused to the character and quality of the public realm and to highway safety. For these reasons, I conclude the appeal should be dismissed.

Appeal B

25. In conclusion, for the reasons identified above, the proposed advertisement would have a harmful effect on amenity. Insofar as it would be attached to the hub, the advertisement would also be harmful to public safety. The appeal should therefore be dismissed.

C Coles

INSPECTOR