



Appeal Decisions

Site visit made on 8 September 2025

by **C Coles MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 October 2025

Appeal A Ref: APP/Y3615/W/25/3366566

Pavement outside 28-30 High Street, Guildford, Surrey GU1 3EL

- 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/00230.
- The development proposed is installation of a freestanding telephone apparatus with integral defibrillator and advertisement.

Appeal B Ref: APP/Y3615/H/25/3366570

Pavement outside 28-30 High Street, Guildford, Surrey GU1 3EL

- 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/00231.
- 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. The postcode for the appeal site was amended on the decision notice and the appeal form to GU1 3EL, which is different to that provided on the application form. I have taken this postcode as it more accurately reflects the site location. The appellant's name has been added to the banner heading.
5. 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

6. The main issues common to both appeals are:
 - The effect of the proposal on amenity with specific regard to visual clutter, on the character and appearance of the Guildford Town Centre Conservation Area (CA) and the setting of Grade II listed 23-37 (odds) High Street and locally listed 39 High Street; and
 - The effect of the proposal on public safety, with particular reference to highway safety.
7. Appeal A raises an additional issue which is the effect of the proposal on flood risk.

Reasons

Amenity and heritage assets

8. The appeal site is an area of pavement, outside the Halifax building at 28-30 High Street. It is located to the east of the junction of High Street and Millbrook. Within the immediate vicinity of the site there is a significant degree of street furniture consisting of railings, utilities boxes, planters, refuse bins, bicycle parking, a telephone box, benches, a notice board, a way finding sign, lamp posts and traffic lights, most of which integrates with the traditional character of the High Street.
9. The appeal site is within the CA and on the opposite side of the High Street are a number of Grade II listed buildings at no's 23-37 (odds) and locally listed 39 High Street.
10. Grade II listed nos 31-37 (odds) High Street were houses at three storey height with attics under two segmentally headed casement dormers and are now shops on the ground floor. The significance of the buildings partially lies in their group value. Grade II listed nos 23-29 (odds) High Street was a town house of early C18th origin and now has a restaurant on the ground floor. Locally listed 39 High Street is a C19th building with a shop at the ground floor. The architecture of these heritage assets varies quite considerably but together, the assets provide a high-quality setting for the appeal site.
11. The Guildford Town Centre Conservation Area Character Appraisal (CACA) identifies the view up the High Street from the Millbrook Junction as an important view, with the cobbled High Street sloping upwards in a curved form, framed by a range of historic buildings. The CACA identifies it is important that these views and vistas are maintained and enhanced. The lower High Street is also lined with almost continuous listed buildings on long thin plots which reflect the Saxon burgages.
12. One of the threats to the High Street identified in the CACA is the use of garish signage/colours. The quality of the components that make up the public realm also make an important contribution to the character and appearance of the CA and, where they are badly designed, they can adversely affect the special interest of the whole area. The CACA also highlights a loss of important views due to bulky and poorly sited new development as one of the general issues.

13. The proposed hub would be of a standard design, and, given its large scale, functional appearance and digital nature would appear incongruous within its setting. The proposal would add to the existing street furniture and result in an unacceptable level of visual clutter, to the detriment of the character of the area within which it would be located.
14. The location of the proposed hub at the bottom of the High Street would detract from important views and vistas identified in the CACA and would be viewed within the setting of Grade II Listed buildings 23-37 (odds) High Street and locally listed 39 High Street. The proposal would appear dominant within the street scene and would not compliment other street furniture which generally fits within its historic context.
15. The proposed illuminated advertisement would be designed to attract the attention of pedestrians and, combined with its digital nature would be at odds with the traditional character and architecture of the CA and would interfere with the aforementioned view and vista of the cobbled street rising up behind it.
16. The scheme would therefore harm the amenity of the area, the CA as a whole and the setting of nearby listed buildings. The harm to the designated heritage assets combined would be less than substantial and towards the lower end of the range and should be weighed against any public benefits. I return to this in my balance below.
17. However, for the reasons given the scheme would also conflict with Policies D4, D10, D18, D19, D20 and D23 of the Guildford Borough Council: Development Management Policies (LPDMP) and Policies D1 and D3 of the Guildford Borough Local Plan: Strategy and Sites 2015-2034 (LPSS). Together, these policies seek to conserve and enhance the historic environment and heritage assets and their settings in a manner appropriate to their significance. 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

18. 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.
19. The proposed hub with associated advertisement which is designed to draw attention would be located on land classified as public highway, at the bottom of the High Street close to a signalised crossing point where there is significant levels of foot traffic. Due to the size and location of the proposed hub, there would be significant impact to the free flow of pedestrian movements within this location which would prejudice highway safety. I note the width of the pavement, however, this section of pavement is already congested with street furniture. It is also likely that the number of pedestrian movements in this location would increase after the redevelopment of the site opposite for mixed residential and commercial use has taken place.
20. In conclusion, the proposed hub would impact the free flow of pedestrian movements and prejudice highway safety. It would therefore result in unacceptable

harm to public safety contrary to Policy D10 of the LPDMP and the Framework. Whilst development plan policies are not determinative in respect of applications for advertisement consent, I have taken them into account as a material consideration.

Appeal A

Flood risk

21. The proposed hub would be located on land at medium risk of river flooding being within flood zone 3. It also sits within an area at high risk of surface water flooding.
22. A flood risk assessment should be provided for all development within flood zones 2 or 3 and the sequential test is also required for non-major development within flood zone 2 or 3. Policy P4 of the LPSS also requires developments in areas at medium or high risk of flooding to submit a site-specific flood risk assessment (SSFRA) to demonstrate the development will be safe for its lifetime without increasing flooding elsewhere. Whilst the appellant has submitted information with the appeal relating to flood risk protection measures in the event of full immersion in water, no SSFRA has been provided, and I must therefore take a precautionary approach.
23. Recent updates to the PPG¹ indicate that a proportionate approach should be taken when deciding whether a sequential test is needed based on the SSFRA. In the absence of the SSFRA, I am unable to determine whether a sequential test is required in this instance.
24. Accordingly, the absence of a SSFRA for the proposal conflicts with Policy P4 of the LPSS which requires development in areas at medium or high risk of flooding to submit a site-specific flood risk assessment (SSFRA) to demonstrate the development will be safe for its lifetime without increasing flooding elsewhere.

Planning Balance and Conclusion

Appeal A

25. The proposed hub would result in additional visual clutter and harm to the character and appearance of the CA and the setting of listed buildings. This harm lies at the lower end of the scale of less than substantial harm but any harm to heritage assets attracts significant importance and weight. The proposal would also result in harm to highway safety and insufficient evidence has been submitted to demonstrate that the development would not increase flooding elsewhere.
26. 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 and public messaging. It can also be a platform for other technologies to capture environmental data, air quality monitoring and CCTV as well as providing an advertisement screen. 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.

¹ Planning Practice Guidance Flood Risk and Coastal Change

27. I note that four defibrillators are also available within a two-minute walk, two of which would be available 24 hours a day. For this reason, I attach these benefits only moderate weight.
28. Overall, I consider that the benefits of the hub do not outweigh the less than substantial harm that would be caused to the significance of the designated heritage assets, amenity and the harm to highway safety or from flood risk. For these reasons, I conclude the appeal should be dismissed.

Appeal B

29. 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. For the reasons given above, the appeal should be dismissed.

Claire Coles

INSPECTOR