
Appeal Decisions

Site visit made on 18 November 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 December 2025

Appeal A Ref: APP/K0750/W/25/3370235

25 Corporation Road, Middlesbrough TS1 1LP

- 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 Middlesbrough Development Corporation.
 - The application Ref is 25/0039/FUL.
 - The development proposed is the installation of a multifunctional communication hub with integral defibrillator and advertisement.
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Appeal B Ref: APP/K0750/H/25/3370243

25 Corporation Road, Middlesbrough TS1 1LP

- 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 Middlesbrough Development Corporation.
 - The application Ref is 25/0040/ADV.
 - The advertisement proposed is the installation of a multifunctional communication hub with integral defibrillator and advertisement.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals are for related proposals on the same site. I have considered each appeal on its individual merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
4. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) stipulate that control may be exercised only in the interests of amenity and public safety. Therefore, while the development plan policies referred to on the decision notice are not determinative, I have taken them into account where relevant.

Main Issues

5. The main issues in Appeal A are the effect of the proposal on the character and appearance of the area and highway safety.
6. The main issues in Appeal B are the effect of the proposed advertisement on visual amenity and public safety.

Reasons

Character and appearance and amenity

7. The appeal site comprises an area of pavement within a mixed-use area that has a commercial character, featuring assorted built form of varying appearance. Corporation Road is a busy thoroughfare which at the appeal site location provides access to a car park. It is proximate to the pedestrianised section of Corporation Road which forms part of the main shopping area. There is a variety of street furniture in the vicinity of the appeal site including, road signs, lamp posts, bollards, street trees and a wayfinding sign. Nevertheless, the surrounding area is currently an open and relatively uncluttered area of public realm.
8. The proposed hub would be aligned with the nearby street furniture and would have a more open side profile and occupy a smaller footprint than a previous scheme for a kiosk that was dismissed at appeal¹ (the kiosk appeal). However, due to the height and form of the proposed hub with its various components including digital changing advertising display it would be a visually intrusive feature in the street scene. By reason of a combination of its height and width, which would be similar to the kiosk appeal scheme, the proposed hub would be a prominent structure in comparison to the existing street furniture in views on approach to the site in either direction. As such, it would weaken the open and unobstructed nature of the appeal site, in a prominent gateway location to the main shopping area of the town centre.
9. There is an existing digital advertisement nearby to the west of the appeal site. The proposed advertising screen would be modest in size and illuminated to recommended levels. Even though it would be seen in the context of other advertisements, the proposed illuminated advertisement would highlight the presence of the hub on approach from the east, exacerbating its visual intrusion. Furthermore, the addition of another digital advertisement display would result in an excessive number of digital advertisements within a relatively confined area of the town centre. The proposed advertisement would therefore have a cumulative negative effect on the visual amenity of the public realm.
10. The appeal site is not located within the historic environment and similar hubs and advertisements are a common feature in commercial areas. Nevertheless, this does not mean that the scheme would sit comfortably within its context. Controls for the operation of the advertisement would not overcome my above concerns and overall, the proposals would be contrary to the guidance within Middlesbrough's Urban Design Supplementary Planning Document (SPD) (2013) relating to well-designed public spaces which should be attractive and uncluttered.
11. To conclude on this main issue, in relation to Appeal A the proposal would have a harmful effect on the character and appearance of the area and would be in conflict with Policies CS5 and DC1 of the Middlesbrough Core Strategy (2008) (MCS) which, amongst other things, require high quality proposals that are visually well integrated.
12. Furthermore, I conclude that the proposed advertisement would harm visual amenity and therefore it would conflict with the above-mentioned policies.

¹ Appeal re: APP/W0734/W/18/3209431

Highway safety and public safety

13. The hub and advertisement would be located to the outer edge of the pavement which is relatively wide that runs along Corporation Road. However, the hub would be location such that it would be in a linear arrangement of street furniture that pedestrians would have to negotiate, constricting the channel for movement and causing an inconvenience to users. Owing to its width and height the hub would create an obstacle and detract from the existing good sightlines along the street, including into the main shopping area. In doing so it would reduce the coherence of the pedestrian routes in a gateway location proximate to the pedestrianised shopping area of the town centre, which at busy times would cause an inconvenience to shoppers and could be hazardous for those with disabilities.
14. This would be at a section of Corporation Road that is indicated is heavily used by taxis and other vehicles to drop off/pick up passengers given the proximity to the pedestrianised central shopping area. Notwithstanding that the proposed hub has a more open design than the kiosk appeal scheme, it would have a projecting canopy and when the hub was in use there would be users congregating around it. As such the proposed hub would reduce the amount of kerbside access which could result in vehicles waiting in the road blocking access to the car park and Dundas Mews. Furthermore, given the appeal site's location proximate to the junction with Dundas Mews the hub's height and width would have a detrimental effect on vehicle and pedestrian visibility which would be exacerbated when the hub was in use.
15. Consequently, the proposed development would have an unacceptable impact on highway safety, and would not give priority to pedestrian movements, address the needs of people with disabilities and reduced mobility, or create places that are safe and minimise the scope for conflict, as required by Paragraph 116 and 117 of the National Planning Policy Framework (the Framework).
16. All advertisements are intended to attract attention, and it is not disputed that the proposed advertisement would not obscure any road signs. However, it would have the potential to be a distraction to pedestrians and drivers on approach to it, which in combination with the physical structure of the hub that it would be affixed to would be detrimental to public safety. The imposition of conditions to control the illumination levels and changing of images of the proposed advertisement would not adequately address the harm to public safety because of the harmful effect of the advertisement's associated structure.
17. For these reasons, the proposal would harm highway safety, and as such, it would be in conflict with MCS Policy D1 which includes a requirement that proposals have no effect on highway safety. It therefore follows that the proposed advertisement would harm public safety.

Other Matters

18. Framework Paragraph 119 states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. The Framework also seeks to support the expansion of electronic communication networks. Incorporating the latest digital communication technology and in providing efficient, reliable and free to use public services the hub would therefore support the Government's aim of improving digital infrastructure which is a clear benefit of the proposal. A defibrillator would be

provided as part of the hub, however there are other existing public defibrillators nearby within the town centre.

19. It is indicated that the advertising display could be used to connect the local planning authority with the public through facilitating wayfinding and promoting initiatives. Nevertheless, there is no substantive evidence that the display would be likely to be used in this way and no mechanism to secure the display of public messages. In any event, matters not relating to amenity and public safety fall outside the scope of Appeal B, as defined in the Regulations.
20. While there would be benefits from the scheme, overall, given its scale as a single hub, the prevalent use of mobile phone technology and since there are other hubs and defibrillators across the town centre, this limits the weight I afford to these benefits, which in practical terms would be modest. As such, the benefits do not provide justification for allowing a scheme that would cause the harms identified under the main issues above.

Conclusion

21. In respect of Appeal A, my above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations, including the Framework, that indicate a decision should be made other than in accordance with it.
22. In respect of Appeal B, the proposed advertisement would harm visual amenity and public safety.
23. For the reasons given above, and having regard to all other matters raised, I conclude that Appeal A should be dismissed, and Appeal B should be dismissed.

F Harrison

INSPECTOR