
Appeal Decisions

Site visit made on 26 November 2025

by **K Dryden BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal A Ref: APP/H5960/W/25/3372018

Pavement outside 986 Garratt Lane, London SW17 0ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr David Phillips of Urban Innovation Company (UIC) Ltd against the Council of the London Borough of Wandsworth.
 - The application ref is 2025/1713.
 - The development proposed is installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal B Ref: APP/H5960/H/25/3372020

Pavement outside 986 Garratt Lane, London SW17 0ND

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Mr David Phillips of Urban Innovation Company (UIC) Ltd against the Council of the London Borough of Wandsworth.
 - The application ref is 2025/1826.
 - The advertisement proposed is installation of "Pulse Smart Hub" with integrated digital screens.
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Decision

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

Preliminary Matters

3. Appeal A concerns the failure of the local planning authority to give notice within the prescribed period of a decision on an application for planning permission to erect a pulse smart hub. Appeal B concerns the failure of the local planning authority to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
4. The two appeals relate to the same site and to each other. I have considered each on its individual merits, but I have combined these cases into a single decision letter as they are intrinsically linked and raise the same issues.
5. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken account of the policies the Council considers to be relevant, these have not been decisive in my determination of this appeal.

Main Issues

6. The main issues are:

- the effect of the proposal on the visual amenity of the area, having particular regard to the effect on relevant designated heritage assets; and
- the effect of the proposal on public safety.

Reasons

Visual amenity

7. The appeal site comprises a section of public footway on Garratt Lane within a busy mixed commercial and residential context, close to the crossroads intersection of Tooting High Street and Mitcham Road. The area is characterised by a range of building types and ages, where the varied building typology contributes positively to the area's established character and visual interest. Despite this diversity, there is a clear consistency in building lines where buildings are set back from the pavement edge with a footway to the front.
8. A lamp post, street signage and controlled pedestrian crossing are located within close proximity to the appeal site, which is situated to the front of retail units along Garratt Lane. The Council has identified the site's context, noting that it lies in proximity to three listed buildings and two locally listed buildings (NDHA). In relation to the first, the iron ventilator/ gas lamp standard above the public lavatory (Grade II listed), is sited within the median strip on Mitcham Road adjacent to the crossroads. The structure comprises a substantial cast iron candelabrum sited on a pierced plinth carrying column. The Statue of Edward VII (Grade II listed), a bronze statue on a granite plinth is prominently sited on the footway to the front of Tooting Broadway Station (Grade II listed), which comprises a portland stone astylar corner building with curved façade which fronts the crossroads. Whilst listing details have not been provided for the two NDHA, No 48 and No 69 Tooting High Street, during my site visit I observed the valuable contribution these buildings, together with the designated heritage assets, collectively make to the local area with regard to their aesthetic, historic and architectural significance.
9. I have a statutory duty¹ to have special regard to the desirability of preserving listed buildings and their setting. The scale and height of the proposal, combined with its large double-sided illuminated digital screens, would be excessive and visually intrusive in this location. The Pulse Smart Hub would sit close to the highway edge and would appear unduly prominent. Its substantial form and large double sided illuminated displays would be visible in long vistas in both directions along Garratt Lane and Mitcham Road, in addition to glimpsed views from Tooting High Street at the crossroads intersection. I therefore find that the proposal would result in a conspicuous and discordant feature that would undermine the established character of the area and cause harm to the setting of the designated heritage assets and two NDHA. Given its relatively modest scale, the proposal would result in less than substantial harm to the significance of the setting of the designated heritage assets.

¹ Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The appellant states that ambient light sensors would be used to adjust the brightness of the digital screens between dusk and dawn. Whilst there are other advertisements and street lighting within the locality, and therefore an existing level of illumination is already present, given their size and siting adjacent to the public highway the impact of the proposed illuminated advertisements would be significantly greater in the local context causing harm to the visual amenity of the area.
11. The appellant has referenced a number of public benefits which in summary include the provision of cost-free digital connectivity for the local community, alongside access to emergency lifesaving equipment through the Pulse Smart Hub which would include a built-in public access defibrillator and nasal naloxone opioid antagonist. However, I have given this public benefit limited weight as I have been provided with insufficient information to demonstrate that the benefits of the proposal cannot be provided in a less harmful way or in a less sensitive location. I therefore find that this would not outweigh the less than substantial harm that I have identified to the setting of the designated heritage assets and two NDHA in addition to the visual amenity of the surrounding area.
12. The appellant has referred to consistency in decision making and draws my attention to the planning history of the site where prior approval for a telephone kiosk was granted in 2018 following an appeal². However, there are clear differences between that proposal and the scheme now before me. The Inspector previously observed that, "The structure would be of a simple, functional form and appearance. The clear glass would allow views through the kiosks and they would be mostly open on two sides." Whilst it is acknowledged that the current proposal is smaller in footprint, it would incorporate large double-sided advertisement displays and forms a solid structure, further emphasised by the use of black laminated glass and gloss red-coated fibreglass, materials which would appear oppressive and incongruous within the street scene. Consequently, the circumstances presented in this case differ from the previous appeal decision to the extent that they do not weigh in the proposals favour.
13. For the above reasons, with regard to appeal A, I conclude that the proposed installation of the Pulse Smart Hub with integrated digital screens would be detrimental to the visual amenity of the area and would result in unjustified harm to the setting and significance of the designated heritage assets and two NDHA due to its excessive size, positioning, materials and illumination. This is contrary to Policy LP1, Policy LP3 and Policy LP9 of the Wandsworth Local Plan 2023-2038 (2023) (WLP), which state that the scale, massing and appearance of the development provides a high quality, sustainable design and layout that enhance and relate positively to the prevailing character of an area; that development proposals will be supported where they sustain, preserve and, wherever possible, enhance the significance, appearance, character, function and setting of any heritage asset (both designated and non-designated); and, that new advertisements must be of high quality, well integrated with their context and respect local context, including in relation to listed buildings.
14. The appellant has listed multiple policies from The London Plan (2021) along with policies from the WLP which deal with a broad range of planning policy matters. These references do not lead me to a different finding overall.

² Appeal Reference APP/H5960/W/18/3203960

15. With regard to Appeal B, for the above reasons, the advertisements would have an unacceptable effect on the visual amenity of the area due to their size, positioning and illumination. The policies of the development plan have been considered as far as they are material, and in this respect, the scheme would conflict with the development plan.

Public safety

16. The Council raises concern that the proposal would impede pedestrian movement in a busy shopping area, which also includes a bus stop. However, I find the width of the footway substantial in this location with the nearest bus stop sited further along Garratt Lane, outside No 972, thereby reducing any potential conflict with pedestrian movement. Furthermore, I observed that the main footfall in the area is located within the shopping streets, Tooting High Street and Mitcham Road, where the footfall at Garratt Lane was comparatively lighter. Consequently, I find no harm in this regard.
17. I have not been provided evidence to demonstrate that the proposed advertisements would be a distraction to highway users or that this section of the public highway is particularly susceptible to accidents. Given that the proposal would be substantially set back from the crossroads, I do not find harm from obstruction of view and there would be limited opportunities to distract drivers and cyclists. Furthermore, the appellant has stated that the displays would be static and where conditions could be used to control the minimum display time for each advertisement, the use of visual effects between successive displays and to ensure appropriate illumination levels are met.
18. Whilst the proposal would narrow the pavement at this point, it does not create such a constriction as to justify a dismissal on public safety grounds, particularly in light of the previous Inspector's findings.
19. For the above reasons, with regard to Appeal A, I conclude that the proposed installation of the Pulse Smart Hub with integrated digital screens would not cause harm to the safe movement of pedestrians or highway users and as such there would not be an adverse impact on highway safety. This is in accordance with Policy LP50 of the WLP which requires development proposals to be safe and avoid harm to highway safety.
20. With regard to Appeal B, for the above reasons, I conclude that the proposed advertisements would not distract road users and would not result in a harmful effect on public safety. Although not determinative to this appeal, there would be no conflict with the development plan.

Other Matters

21. The appellant has made reference to the setting of the Reents Canal Conservation Area and Grade II* listed Roundhouse Theatre which do not form part of the site context and are therefore not relevant matters for consideration in these appeals.

Conclusion

22. For the reasons given above and having regard to all relevant material considerations, I conclude that Appeal A and Appeal B should be dismissed.

K Dryden

INSPECTOR