



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/25/3372016

Pavement outside 67-93 Balham Hill, London SW12 9DP

- The appeal is made under section 78 of the Town Country Planning Act 1990 (as amended) against the failure of the local planning authority 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 2025/1714.
 - The development proposed is installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal B Ref: APP/H5960/H/25/3372017

Pavement outside 67-93 Balham Hill, London SW12 9DP

- 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 2025/1825.
 - 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 in both appeals are:
 - the effect of the proposal on the visual amenity of the area, having particular regard to the setting of relevant designated heritage assets and non-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 Balham Hill within a mixed commercial and residential context, characterised by a varied range of building types and ages. Despite this diversity, there is a clear consistency in building lines where buildings are set back from the pavement edge with a generous footway to the front. The varied building typology further contributes positively to the area's established character and visual interest.
8. A street tree, lamp post and a row of cycle stands are located in close proximity to the appeal site, which is situated to the front of retail units adjoining a garage forecourt. The Council has highlighted the site's context, noting that it lies opposite two locally listed buildings, which are non-designated heritage assets (NDHA) known as The Avalon and Stableyard Apartments. Whilst the Council have commented that there is currently no formal listing description for the two NDHA, I have been provided with a description of the architectural significance of Stableyard Apartments. It is described as an arts and crafts style building, constructed of yellow brick with red brick dressings and decorative brickwork. Of further interest, the NDHA features crested ridge tiles and a ventilator turret with cupola and weathervane above, and a cobbled entrance yard. At my site visit, I observed the valuable contribution that the buildings make to the street scene with regard to their aesthetic and architectural significance.
9. The Council has also referred to the Balham Hill, Clapham Common Deep Tube Shelter and Surface Buildings at Wandsworth Entrance (Grade II listed). However, given the substantial separation distance between the appeal site and Clapham Common, in combination with the modest scale of the proposal, I am satisfied that the proposal would not give rise to any harm to the significance or setting of the listed building.
10. Although the proposal would occupy a wide section of public footway, the scale and height of the structure, combined with its large double-sided illuminated digital screens, would be excessive and visually intrusive in this location. Existing signage on the adjoining garage forecourt and nearby retail units is recessed from Balham Hill and largely screened behind street tree planting, thereby remaining subordinate within the street scene. In contrast, 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 Balham Hill, thereby resulting in a conspicuous and discordant feature that would undermine the established character of the area and cause harm to the setting of the two NDHA.

11. 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 along Balham Hill, and therefore an existing level of illumination is already present in the area, 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.
12. 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 substantial harm I have found to the setting of the two NDHA in addition to the visual amenity of the surrounding area.
13. 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 appeal¹. 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.
14. 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 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.
15. 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.

¹ Appeal Reference APP/H5960/W/18/3203967

16. 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

17. The Council raises concern that the proposal would impede pedestrian movement in a busy shopping area, close to a bus stop. However, I find the width of the footway substantial in this location and I observed that the footfall in this area of Balham Hill was comparably lighter than in the area north of the site, due to fewer shops in the general vicinity. Furthermore, the nearest bus stop is sited on the opposite side of the road thereby reducing any potential conflict with pedestrian movement. Consequently, I find no harm in this regard.
18. 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. The garage adjacent to the proposal includes a one-way system for drivers, where vehicles egress the premises from a side road to the north of the site. Given that the proposal would be set back substantially from this turning, 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.
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. Having considered the concerns raised by local residents, I find that there would be no adverse impact to residential amenity through excess illumination or street clutter given the relationship with adjoining residential uses and for the reasons given above.
22. The appellant has made reference to the setting of the Kingsway Conservation Area and listed buildings including St Martins College of Arts and Design, Victoria House, the Kingsway Tram Subway and Avenue Chambers which do not form part of the site context and are therefore not relevant matters for consideration in these appeals.

Conclusion

23. 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