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## Appeal Decisions

Site visit made on 9 December 2025

by **E Worley BA (Hons) Dip EP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 14 January 2026**

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### **Appeal A Ref: APP/Q4625/W/25/3369319**

#### **Pavement o/s 61 High Street, Solihull B91 3SW**

- 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 on behalf of Infocus Public Networks Limited against the decision of Solihull Metropolitan Borough Council.
  - The application Ref is PL/2025/00760/PPFL.
  - The development proposed is the installation of a multifunctional communication Hub including defibrillator and advertisement display, as illustrated in the attached documentation.
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### **Appeal B Ref: APP/Q4625/H/25/3369320**

#### **Pavement o/s 61 High Street, Solihull B91 3SW**

- 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 on behalf of Infocus Public Networks Limited against the decision of Solihull Metropolitan Borough Council.
  - The application Ref is PL/2025/00761/ADV.
  - The advertisement proposed is the installation of a multifunctional communication Hub including defibrillator and advertisement display, as illustrated in the attached documentation.
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## **Decisions**

1. Appeal A and Appeal B are dismissed.

## **Preliminary Matters**

2. There are 2 appeals at the site. Appeal A concerns the refusal of planning permission for the communication hub and Appeal B concerns the refusal of express consent to display advertisements on the hub. I have considered each on its individual merits. However, as they raise similar issues, I have combined both decisions into a single decision letter.
3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the National Planning Policy Framework (the Framework) and the National Planning Practice Guidance (PPG) confirm that advertisements should be subject to control only in the interests of amenity and public safety. The Council raise no concerns in relation to public safety and based on the evidence before me and observations at my site visit, I see no reason to take a different view. In reaching my decision in the appeal related to Appeal B, I have therefore had regard to the development plan policies cited in the refusal reason only in so far as these are material to amenity.

## Main Issue

4. The main issue is the effect of the proposed development/advertisement on the character and appearance of the area, in particular whether the proposal would preserve or enhance the character or appearance of the Solihull Conservation Area, and visual amenity of the area.

## Reasons

### *Character, appearance and amenity*

5. The appeal site comprises an area of pavement within the pedestrianised High Street of the built-up area of the centre of Solihull. There are a range of commercial and retail premises in the immediate context of the site, as well as trees and street furniture including lamp posts, planters, bins and seating.
6. The site is within the Solihull Conservation area (CA). The significance of the CA is derived, at least in part, from the traditional layout of buildings set in burgage plots, together with the variety of buildings of different ages and architectural styles, which depict the evolution of the town. The existing layout, including the spacious nature of the pedestrian realm which forms a thoroughfare between the buildings fronting High Street, contributes positively to the character and appearance and amenity of the area and the historic significance of the CA.
7. The appeal would see the construction of a communication hub within the public realm between the frontages of the existing buildings. I appreciate the hub, which is comparable in overall size to adverts found on bus shelters, would be smaller in scale than the nearby buildings, from which it would be set away. However, the hub would be greater in overall scale and bulk than the various existing artifacts within the immediate area, including litter bins, seats and traditional street lighting comprising a slender form.
8. Moreover, despite the highly active nature of the surrounding modern commercial area, which includes a degree of internal illumination, there is a notable absence of extensive internally illuminated shop facias or standalone illuminated advertisements in this part of the High Street. Thus, notwithstanding the simple design and muted colour of the main part of the structure, the overall bulk and height of the hub, together with the introduction of an illuminated advertisement of the size proposed, even if only on a single side with controlled levels of illumination, in this position, would appear as an unduly visually conspicuous feature which would be at odds with the prevailing character of the area. For these reasons, it would fail to conserve or enhance the significance of the CA and would harm the visual amenity of the streetscene.
9. Given the nature of harm and the localised effects, the harm to the CA would be at the lower end of the spectrum of less than substantial harm. However, it is still of considerable importance and weight. The National Planning Policy Framework (the Framework) states that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal.
10. The Framework recognises that high quality and reliable communications infrastructure is essential for economic growth and social well-being and sets out that decisions should support the expansion of electronic communications

networks. Even if the hub would offer benefits in terms of supporting high quality communications and may reflect the aims of the Solihull Digital Strategy (2022-2027), there is no substantive evidence before me to demonstrate that suitable alternative sites, which may be available, have been fully explored. I therefore attribute limited weight to the support offered by the policy aims of the Framework or the Council's Digital Strategy in that regard.

11. The appellant highlights that the hub would represent a valuable communication asset, providing benefits including free calls to landlines, wi-fi, and access to digital information to increase accessibility to local services and enable wayfinding, through various interactive functions. Nonetheless, considering that mobile phone usage is commonplace, and there are likely to be widespread opportunities to access wi-fi in an urban environment, I attach very limited weight to these benefits.
12. While the provision of a publicly accessible defibrillator would clearly offer benefits in the event of an emergency, there is no substantive evidence that there is an unmet need for such in the area, or that the appeal proposal would be the only means to facilitate the provision of such. Limited weight is therefore attached to this benefit. Given the public safety risks associated with device charging in the public realm, such as theft, the likelihood of users engaging with this facility is low. I thus attribute very limited weight to this aspect of the proposal.
13. In the absence of any certainty regarding suggested potential benefits such as air quality and pedestrian flow monitoring, this is a benefit of very limited weight. The use of renewable energy to power the hub, along with a robust, accessible construction, are normal expectations of new development and therefore of neutral weight. Consequently, the public benefits do not outweigh the harm that would be caused to the significance of the CA, as a designated heritage asset.
14. In light of the above considerations, in the case of appeal A, I conclude that the proposed hub would cause harm to the character and appearance of the area and would fail to preserve or enhance the significance of the CA. Accordingly, the proposal would conflict with the combined aims of Policies P15 and P16 of the Solihull Local Plan, adopted 2013, which seek development of a good quality, that conserves and enhances local character, distinctiveness and streetscape quality, having regard to the conservation of the characteristics that contribute to the historic environment. For the same reasons, I conclude that Appeal B would harm the visual amenity of the area.

### **Other Matters**

15. The Council's refusal reason also alleges that the development would fail to preserve the setting of listed buildings, which it has confirmed include the Grade II listed buildings at 116-120 High Street and 124 High Street; and 126 High Street, a Grade II\* listed building. The significance of these buildings arises from their architectural and historic interest. In so far as it relates to the appeal, their special interest and significance is drawn, in part, from the setting of the listed buildings, which includes the surrounding townscape. By virtue of the scale and siting of the proposed hub, together with the intervening distance between it and the listed buildings, and subsequent lack of direct intervisibility, the proposed development would preserve the setting and special interest and would not harm the significance of the listed buildings.

## **Conclusion**

16. The proposal would conflict with the development plan when read as a whole. Material considerations do not indicate that these appeals should be determined other than in accordance with the development plan. Both Appeal A and Appeal B should therefore be dismissed.

*E Worley*

INSPECTOR