



Appeal Decisions

Site visit made on 26 September 2023

by **Martin H Seddon BSc MPhil DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 October 2023

Appeal A Ref: APP/R5510/W/22/3310431

Pavement outside 8 Clive Parade, Northwood HA6 2QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Thomas Johnston, JCDecaux UK Ltd against the decision of the Council of the London Borough of Hillingdon.
- The application Ref: 76740/APP/2022/1701 dated 25 May 2022, was refused by notice dated 2 November 2022.
- The development proposed is the installation of a multi-functional Communication Hub including advertisement display.

Appeal B Ref: APP/R5510/H/22/3310438

Pavement outside 8 Clive Parade, Northwood HA6 2QF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
- The appeal is made by Mr Thomas Johnston, JCDecaux UK Ltd against the decision of the Council of the London Borough of Hillingdon.
- The application Ref: 76740/ADV/2022/48 dated 25 May 2022, was refused by notice dated 2 November 2022.
- The advertisement proposed is the installation of a multi-functional Communication Hub including advertisement display.

Decisions

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

Preliminary Matters

3. I have considered Appeal A and Appeal B on their own individual merits. However, as the communications hub and advertisement are linked, I have dealt with them together to avoid duplication.
4. I have had regard to the duties set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires, when determining

proposals in conservation areas, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

5. I have also had regard to the duties set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This requires, with respect to a listed building or its setting, special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
6. In respect of Appeal B, Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) and the National Planning Policy Framework (the Framework) make it clear that advertisements are subject to control only in the interests of amenity and public safety. Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural, or similar interest. Whilst not decisive, I have taken relevant development plan policies into account as a material consideration.

Main Issues

7. The main issues in Appeal A are whether the proposal would conserve or enhance the character or appearance of the Northwood Town Centre – Green Lane Conservation Area and the setting of the listed Northwood War Memorial. In addition, the effect of the proposal on the free flow of pedestrians and vitality of the town centre. The main issue in Appeal B is the effect of the advertisement display on amenity.

Reasons (Appeals A &B)

Character and appearance of the conservation area and setting of the historic buildings

8. The proposed communications hub would be sited in a roughly triangular section of pavement at the junction of Green Lane and Maxwell Road. The conservation area is relatively small and based upon the town centre roads of Green Lane, Maxwell Road, and Station Approach. Its special interest derives from the age of the buildings and their variety in style and architecture. The Council's conservation area leaflet notes that most of the buildings are of high-quality design and include different architectural styles including Arts and Crafts, Neo-Classical and 1930's Art Deco, all with very good architectural features. The locality includes distinctive three storey shopping parades with retail and commercial premises at ground floor level and residential uses above.
9. The hub unit would measure around 2.630 m in height by 1.338 m in width and 0.317 m in depth. There would be a projecting canopy over the equipment at one side of the unit, and a display screen to the rear, measuring around 1.895 m by 1.065 m. The illuminated screen would operate with a 10 second delay between each static display image.
10. The section of pavement where the proposed communications hub would be sited has an attractive semi-mature tree with seating at its base. Close to the tree is the prominent grade II listed Northwood War Memorial, a post box and a seat which

backs on to boundary railings adjoining Maxwell Street. The imposing locally listed former Barclays Bank building is located on the opposite side of Green Lane and would be seen from the appeal site.

11. Nos.7 and 8 Clive Parade are part of a modern building next to the paved area which has a significant area of glazing at ground floor level. No.8 Clive Parade is a café which had an outdoor seating area at the time of my site visit. Although the hub would be seen against the modern façades of these premises it would appear incongruous when viewed within the context of the listed war memorial and older buildings in the conservation area. This is because of its contemporary design, size, and bulk, with added visual prominence due to the advertisement panel. Even acknowledging the height of surrounding buildings, the hub would create a dominant feature in this public space. The appellant has referred to a digital display unit installed on the opposite side of Green Lane. However, I have no details of how that unit came about.
12. The Council advises that views of the war memorial looking east and west along Green Lane have been identified as important within the Northwood Town Centre, Green Lane Conservation Area Appraisal. Moreover, policy DMHB 9 of the Hillingdon Local Plan Part 2 seeks to protect war memorials and their setting. The proposed hub would constrain views from the west from Green Lane towards the war memorial and would add clutter to the existing street furniture, tree, and war memorial within a relatively confined area of pavement. The proposed hub would fail to conserve or enhance the character or appearance of the conservation area and would amount to harm to the setting of the war memorial and significance of the conservation area as designated heritage assets. However, in view of the limited scale of the proposal the amount of harm arising would be less than substantial.
13. Paragraph 202 of the Framework indicates that where a development proposal will lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The proposed hub would provide a range of services, including Wi-Fi, phone charging, messaging facilities, free calls to landlines and charities, wayfinding, and a defibrillator. It would be powered by renewable energy, with a solar panel to provide additional energy for the canopy lighting. The appellant advises that it would generate minimal waste during its lifetime. It would include design features to prevent crime and antisocial behaviour, plus an emergency call button. It could support businesses, provide information on local events, and assist the vitality of the area, contributing towards the development of a 'smart' city.
14. I am advised that there are already defibrillators in Green Lane, manned by local retailers, although no details have been provided. However, even acknowledging the support in the Framework for high quality communications, the public benefits from the proposal would be modest and would not outweigh the harm to the character and appearance of the conservation area and setting of the listed war memorial.
15. Conditions have been suggested by the appellant relating to the rate and form of image change and illumination levels for the display panel, but the overtly modern

nature of the proposal and advertisement, would remain, would not outweigh the harm to the amenity of the area.

Free flow of pedestrians and vitality of the town centre

16. The proposed hub would be sited at a key point in the town centre where pedestrian flows would be expected to be high and just before where the paved footway narrows in front of 40-50 Green Lane. The paved area is used for gatherings in association with the war memorial and for other events. In those circumstances the proposed hub would restrict space for pedestrian movements. I note that the Highways officer considers that there would be sufficient footway width of around 2 m to enable pedestrian movements and has not objected to the proposal on the grounds of pedestrian or highway safety, subject to a condition to control the illumination of the display. However, I acknowledge the petition and representations submitted on behalf of Northwood Residents Association. These include reference to the use of the pavement area for community events. Whilst there would be no harm to public safety from the proposal there would be some additional restriction to the free flow of pedestrian movements given the limited scale of the paved area. Reducing the space and opportunity for use of the paved area for community events through the addition of the hub would have a negative effect on the vitality of the town centre, given that it is a focal point for such activities, although that effect would be limited in extent.

Conclusions

17. Regarding Appeal A, for the reasons given above, the hub would have a significant adverse effect on the character and appearance of the area. It would fail to preserve the character or appearance of the conservation area or the setting of the listed war memorial and locally listed former Barclays Bank building. It would also have an adverse effect on the free flow of pedestrians and community use of the area. Therefore, it would fail to comply with policies D3, D8, HC1 and SD6 of the London Plan, policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies, policies DMHB 1, 2, 3, 4, 9, 11, 12, 13A, 21 and DMTC 1 of the Hillingdon Local Plan Part Two – Development Management Policies and the provisions of the National Planning Policy Framework insofar as they seek to ensure good design that is related to the local context and development which conserves the significance of heritage assets and the settings of listed buildings.

18. Having regard to Appeal B I have found above that there would be no harm to public safety from the proposed advertisement display. However, for the reasons given above, and despite the suggested conditions, the proposed advertisement display would harm the amenity of the area.

19. For the reasons given above, both Appeal A and Appeal B are dismissed.

Martin H Seddon

INSPECTOR