



Appeal Decision

Site visit made on 31 March 2025

by S Poole BA(Hons) DipArch MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 April 2025

Appeal A Ref: APP/T5150/W/24/3356987

Telephone Call Box o/s 30A Station Terrace, London NW10 5RP

- 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, In Focus Network Limited, against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/2805.
 - The development proposed is described on the application form as the installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator to replace an existing telephone call box.
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Appeal B Ref: APP/T5150/H/24/3356989

Telephone Call Box o/s 30A Station Terrace, London NW10 5RP

- 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, In Focus Network Limited, against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/2804.
 - The advertisement proposed is an internally illuminated static free-standing advertisement display on communication hub.
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Decisions

1. Appeals A and B are dismissed.

Procedural Matters

2. The pair of appeals relate to the same overall proposal. They differ only in that Appeal A is for planning permission and Appeal B is for express advertisement consent. I have considered each part of the proposal on its individual merits. However, to avoid duplication I have dealt with the two parts of the proposal together, except where otherwise indicated.
3. In respect of Appeal B the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

Main Issues

4. The main issues in respect of Appeal A are:
 - (i) the effect of the proposal on the character and appearance of the street scene and whether it would preserve or enhance the character or appearance of the Kensal Rise Conservation Area, and
 - (ii) the effects of the proposal on highway safety, with particular regard to pedestrian movement.
5. Taking into account the matters raised by third parties I consider the main issues in respect of Appeal B to be the effects of the proposed advertisement on amenity and public safety.

Reasons

Background

6. The appeal site comprises an area of pavement partly occupied by a telephone kiosk that is situated in front of a row of shops close to the road junctions between Chamberlayne Road, Station Terrace and Bolton Gardens. It is within a relatively wide section of pavement close to an area of soft landscaping, a pedestrian crossing, a tall CCTV pole and items of road signage.
7. The appeal site is situated within the Kensal Rise Conservation Area (CA) which derives its architectural significance from the handsome and ornately detailed Victorian and Edwardian terraces and its bustling commercial character. The buildings facing the appeal site and the public realm make a clear positive contribution to the character and appearance of the CA.
8. The appeal proposal would comprise the removal of the existing kiosk and its replacement with a communications hub. This would be similar in width and height to the kiosk it would replace but would not include any sides or a roof. Instead, there would be a small canopy above the communications equipment. On the other side, facing Bolton Gardens, there would be an 86 inch LCD display screen which is intended to show commercial and community information in a series of static images.

Character, Appearance and Amenity

9. Whilst the proposed communications hub would be smaller in footprint than the kiosk it would replace, it would be taller and have a more solid and opaque appearance compared to the partially glazed kiosk. It would also be slightly more prominently sited than the kiosk. Due to its siting, size and appearance, the hub would be an overly prominent element in the street scene that would have an unacceptable effect on the character and appearance of the area and would result in substantial harm to, and fail to preserve the character and appearance of, the CA.
10. For these reasons the proposal that is the subject of Appeal A fails to accord with Policies DMP1, BHC1 and BD1 of the Brent Local Plan which, amongst other matters, seek high quality urban design and the avoidance of harm to heritage assets. The proposal also conflicts with the aims of the Council's planning guidance.

11. In this particular context the proposed LCD screen would be an overtly alien and incongruous element in the street scene, particularly at night, resulting in clear harm to the amenity of the area.

Highway and Public Safety

12. Station Terrace is a shopping area that experiences relatively high levels of pedestrian activity. The section of pavement that includes the appeal site is relatively wide and a large proportion of it is unobstructed therefore allowing the free flow of pedestrians. The proposed hub would be sited close to the road between an area of planting and a CCTV post. It would therefore be outside the primary zone of pedestrian activity and would not result in any greater impediment to the flow of pedestrians than results from the existing kiosk. I am therefore satisfied that the proposed hub would not have an unacceptable effect on public and highway safety. As such the proposal that is the subject of Appeal A accords with LP Policy DMP1 and the aims of Policy T2 of the London Plan (2021).
13. However, the proposed LCD screen would be sited close to 2 road junctions and a traffic light controlled pedestrian crossing on Chamberlayne Road. It would be highly visible to road users travelling north along Chamberlayne Road thereby creating a potential distraction at a point on the road where high levels of concentration are needed, particularly in respect of the pedestrian crossing. For these reasons, I conclude that the proposal that is the subject of Appeal B would have an unacceptable effect on public safety.

Other Matters

14. The proposed hub would provide a range of public facilities including free ultrafast Wi-Fi, free phone calls to landlines, wayfinding, device charging, rapid connection to emergency services and public messaging capabilities. Many of these features can be accessed by most members of the public by other means and therefore the public benefits are limited. I recognise that the inclusion of a defibrillator is a potential benefit although there is no evidence before me to indicate an absence of such facilities in this area. Whilst the inclusion of many public facilities is laudable, there is no mechanism before me to ensure these features would be adequately maintained and retained into the future. Any benefits that may exist could be short-lived. I therefore conclude that the public benefits outlined by the appellant do not outweigh the harm identified above.

Conclusion

15. For the reasons set out above, and having regard to all other matters raised, I conclude that appeals A and B should fail.

S Poole

INSPECTOR