



Appeal Decisions

Site visits made on 3 and 10 June 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2025

Appeal A Ref: APP/X5990/W/24/3356872

Pavement outside Hilton London Metropole 225 Edgware Road, London W2 1JU

- 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 full planning permission.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against City of Westminster Council.
 - The application Ref is 24/05678/FULL.
 - The development proposed is Installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal B Ref: APP/X5990/H/24/3356873

Pavement outside Hilton London Metropole 225 Edgware Road, London W2 1JU

- 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.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against City of Westminster Council.
 - The application Ref is 24/05679/ADV.
The advertisement proposed is Installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal C Ref: APP/X5990/W/24/3356868

Pavement outside Metropole Properties, 244 Edgware Road, London W2 1DS

- 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 full planning permission.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against City of Westminster Council.
 - The application Ref is 24/05676/FULL.
 - The development proposed is Installation of "Pulse Smart Hub" with integrated digital screens
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Appeal D Ref: APP/X5990/H/24/3356870

Pavement outside Metropole Properties, 244 Edgware Road, London W2 1DS

- The appeal is made under 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.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against City of Westminster Council.
 - The application Ref is 24/05677/ADV.
The advertisement proposed is Installation of "Pulse Smart Hub" with integrated digital screens.
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Decision

1. Appeal A is allowed, and planning permission is granted for Installation of "Pulse Smart Hub" with integrated digital screens at pavement outside Hilton London Metropole 225 Edgware Road, London W2 1JU in accordance with the terms of

the application, Ref 24/05678/FULL, and the plans submitted with it, subject to the conditions set out in the schedule attached to this decision.

2. Appeal B is allowed, and express consent is granted for the Installation of "Pulse Smart Hub" with integrated digital screens as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the schedule attached to this decision.
3. Appeal C is allowed, and planning permission is granted for Installation of "Pulse Smart Hub" with integrated digital screens at pavement outside metropole properties, 244 Edgware Road, London W2 1DS in accordance with the terms of the application, Ref 24/05676/FULL, and the plans submitted with it, subject to the conditions set out in the schedule attached to this decision.
4. Appeal D is allowed, and express consent is granted for the Installation of "Pulse Smart Hub" with integrated digital screens as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the schedule attached to this decision.

Procedural Matters

5. As set out above there are two appeals on each site (Appeal A and B) and (Appeal C and D). They differ only in that Appeal B and D are for advertisement consent for the illuminated advertisement. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the schemes together, except where otherwise indicated.
6. Regulations to control advertisements may be exercised only in the interests of amenity and public safety.

Main Issues

7. The main issues are the effect of the proposed development on:
 - Amenity; and
 - Public safety.

Reasons

Amenity

8. The appeal site subject of Appeal A and B is located on the pavement on the west side of Edgware Road outside London Hilton Metropole Hotel within an overtly commercial area. There are street trees, lamp posts, road signs, bollards, equipment cabinets and a Legible London totem located nearby of this wide pavement set against the large multi storey hotel. A rain garden is located further north which is part of Transport for London's recent public realm improvements.
9. Prior approval was allowed at appeal (ref no. APP/X5990/ W/17/3190410) for the installation of a telephone kiosk at this site in September 2018, but the kiosk was not installed. The telephone kiosk is different in design to the current proposed

Pulse Street Hub although they both relate to a structure on the pavement in the same location and raise similar planning matters.

10. The appeal site subject of Appeal C and D is located to the southeast of the above-mentioned site on the east side of Edgeware Road, on the pavement outside No 244. There is a significant amount of street furniture around the site including bike racks, bins, a lamp standard, as well as a bus stop just to the south. As with Appeal A and B, the appeal site location is one which is overtly commercial in character. Prior approval was allowed at appeal (ref no. APP/X5990/W/17/3188317) for the installation of a telephone kiosk at this site in September 2018. This was however never installed. The telephone kiosk is different in design to the current proposed Pulse Street Hub although they both relate to a structure on the pavement in the same location and raise similar planning matters.
11. The proposed development seeks consent for the installation of a Pulse Smart Hub which measures 2.54 metres x 1.28 metres x 0.35 metres. It incorporates digital LED advertising screens on either side.
12. For Appeal A and B, the existing street trees, road signs and lampposts are in a linear arrangement within a metre of the kerb with a domineering backdrop of the large multi-storey hotel and over 2 metre clear width for pedestrian movement. The proposed Pulse Street Hub would be located amongst and in alignment with existing street furniture near the entrance to the hotel in between a road sign and small street tree approximately 19 metres from the southern edge of the rain gardens.
13. Appeal A and B is therefore at significant distance away from the rain gardens whilst being amongst the existing street trees plus 2 taller road signs and is considered modest in scale in this specific context. It would not therefore detrimentally impact on the appearance of the rain gardens or their associated maintenance at this busy major road junction. The vertical slab design of the Pulse Street Hub is utilitarian, and the LED screens would draw the eye to its presence. However, the street context is one where the Pulse Street Hub aligns with existing street furniture/trees and is set against the background of the hotel and dominant elevated section of the Westway flyover with a sky-scraping advertisement totem located to the north of the site. This means that the proposal is considered acceptable in design terms with no harmful impact on the character and appearance of this part of the borough.
14. For Appeal C and D, the proposed Pulse Street Hub would also be located amongst and in alignment with existing street furniture. Its overall positioning would allow it to be read with the existing cluster but without unduly harming the relatively open aspect of the pavement in this part of Edgeware Road. Whilst the Pulse Street Hub is utilitarian in design, it is not considered harmful to the character and appearance of the streetscape given the overtly commercial character of the area.
15. For the above reasons, I conclude on this issue that the proposed development would not be harmful to the amenity of the area. Appeal A and C would therefore accord with Policies 38, 40 and 43 of the City of Westminster, City Plan 2019-2040, 2021 (CP) which together, amongst other matters, explains that development will be sensitively designed, having regard to the prevailing scale,

heights, character, building lines and plot widths, materials, architectural quality and degree of uniformity in the surrounding townscape.

16. Given my findings above, it is concluded that Appeal B and D would also not be harmful to the amenity of the area and would accord with the above-mentioned policies. Given that regulations to control advertisements may be exercised only in the interests of amenity and public safety, such policies are material considerations rather than being decisive in the determination of Appeal B and D.

Public safety

17. As referred to above, the position of the site subject to Appeal A and B is close to the flyover to the north and Praed street to the south with only one large building separating the two. The footfall on this stretch of pavement is therefore much lower than at other parts along Edgware Road. The pavement would have over 2 metre clear width for pedestrian movement which complies with the Westminster Way – public realm strategy design principles and practice Supplementary Planning Document, 2011 and thus its positioning would not result in harm to the safety and convenience of pedestrians. The communication equipment and interaction facilities are on the edge of the structure which means users have to stand adjacent to it (rather than in its shadow) further reducing the pedestrian clearway. However, this is not a busy shopping centre and unlikely to adversely impact on pedestrian movement.
18. In terms of driver safety, when on the west side and approaching from the south, the Pulse Street Hub at Appeal A and B is located behind and just below an existing road sign. The existing larger scale directional road sign further north is strident and would tower above the Pulse Street Hub. In the spring and summer seasons the smaller road sign would be partly obscured by the street trees. Conditions can be applied to ensure the illumination of advertisement displays is maintained to the standard set out in the relevant guidance and also conditions restricting how the advertisement is displayed would ensure driver safety.
19. For Appeal C and D, the pavement would also have over 2 metre clear width for pedestrian movement and thus its positioning would not result in harm to the safety and convenience of pedestrians. In a similar way to Appeal A and B, the communication equipment and interaction facilities are on the edge of the structure. However, this is not a busy shopping centre and unlikely to adversely impact on pedestrian movement.
20. There is a bus stop located nearby to the south of the site subject to Appeal C and D and whilst the installation of the Pulse Street Hub would partially impede views looking northwards along Edgware Road from the bus stop, it would not fully impede views, and it is not uncommon for street furniture to partially impede views.
21. The location of the bus stop means that busses will be suddenly stopping and starting, requiring drivers to be particularly vigilant. However, I do not find the sites context to be one where the Pulse Street Hub would cause significant distraction to drivers and there is also a degree of separation from the appeal site and the bus stop further south. Conditions relating to the illumination, display and content would ensure the development would not be prejudicial to highway safety.

22. For the above reasons, I conclude on this issue that the proposed development would not unacceptably harm public safety. Appeal A and C would therefore accord with Policies 25, 28 and 43 of the CP and Policies D8, T2 and T4 of the London Plan, 2021 which together, amongst other matters, explains that the public realm will be safe, attractive and accessible to all whilst prioritising the reduction of road danger.
23. Given my findings above, it is concluded that Appeal B and D would also not be harmful to public safety and would accord with the above-mentioned policies. Given that regulations to control advertisements may be exercised only in the interests of amenity and public safety, such policies are material considerations rather than being decisive in the determination of Appeal B and D.

Other Matters

24. I am aware of the concerns raised regarding crime and disorder by creating a focal point by virtue of the services the Pulse Street Hub offers particularly the dispensation of a controlled drug substance called Nasal Naloxone (a drug used under controlled conditions for the emergency treatment of a drug overdose). However, based on the evidence before me in relation to such matters, I am satisfied that many of the concerns can be addressed through the submission of additional information, such as confirmation that the functions of the Pulse Street Hub are lawful (like the dispensing of Nasal Naloxone). I have applied a condition for the submission of an Anti-Social Behaviour Management Plan, detailing how the concerns will be addressed prior to commencement.

Conditions

25. I have considered the Council's suggested planning conditions in their Statement of Case in light of the National Planning Policy Framework and Planning Practice Guidance. As a result, I have amended these where necessary for clarity. Some of the suggested conditions relate to the advertisement and thus I have removed these where necessary and set these out within Appeal B and D.
26. In terms of Appeal A and C, the standard time for commencement of development is necessary as well as a plans condition in the interests of certainty. A Management Plan relating to tackling anti-social behaviour is necessary in order to reduce anti-social behaviour. Conditions relating to the installation and maintenance of the proposals as well as the parking and stopping of vehicles associated with the works are necessary in the interests of visual amenity/public safety and to avoid blocking the roads. The Council has suggested a condition whereby the structure can remain for five years from the date of this decision. After then, it must be removed and the land returned to its previous condition. The reasoning for this is so that the Council can assess the effect of the structure and make sure it meets policy. However, such an assessment has already been done in determining the scheme and I have no compelling evidence for the justification for this condition. I do not therefore find it to be necessary nor reasonable and I have omitted this.
27. In terms of Appeal B and D, conditions relating to the illumination; display; content, sequencing, timings and event of a malfunction are necessary to protect the visual amenity of the area and in the interests of public safety. To this end, the Council has suggested a condition that the advertisements displayed on each panel shall

not change more frequently than once every 15 seconds. The appellant has suggested 10 seconds which my experience suggests is the typical standard and the Council has not suggested any reason to depart from this. I have therefore amended this condition to 10 seconds.

28. A condition relating to audio is necessary to protect the amenity of the area. In a similar way to Appeal A and C, the Council has suggested a condition whereby the advert can be displayed for five years from the date of this decision. It must then be removed without delay. The reasoning for this is so that the Council can assess the effect of the advert and make sure it meets policy. However, as previously explained, such an assessment has already been done in determining the scheme and I have no compelling evidence for the justification for this condition ie that the advertisement would be likely to be unacceptable at the end of the 5-year period. I do not therefore find the condition to be necessary or reasonable and I have omitted this.
29. For clarity and as set out in the terms of my decision, the consent subject to Appeal B and D is for five years from the date of this decision. All consents are automatically given for 5 years, unless specifically stated - Regulation 14(7)(b). After 5 years, the advertisement can continue to be lawfully displayed as it will have the benefit of deemed consent under Class 14 of Schedule 3 of the Regulations. An advertisement with deemed consent can only be removed if discontinuance action is taken by the local planning authority.

Conclusion

30. For the reasons given above, and taking into account all matters raised, Appeal A, B, C and D are allowed.

N Teasdale

INSPECTOR

SCHEDULE OF CONDITIONS

Appeal A

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:

Site Location Plan Drawing No West-ER2/2024/01

Proposed Site Plan Drawing No West-ER2/2024/03

Proposed Elevations/Technical Specification Drawing No West-ER2/2024/04

Proposed Illustration Drawing No West-ER2/2024/06

- 3) Prior to commencement of development, a Management Plan shall be submitted to and approved by the Local Planning Authority setting out how the development will tackle anti-social behaviour. The approved plan shall be adhered to for as long as the hub is in operation.
- 4) The footway and carriageway of the concerned public highway must not be blocked during the installation and maintenance of the proposal. Temporary obstruction during the installation / maintenance must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian or obstruct the flow of traffic.
- 5) The proposed Pulse Smart Hub shall be maintained in a condition that does not impair the visual amenity of the site.
- 6) All vehicles associated with the works must only park / stop at permitted locations and within the time periods permitted by existing on-street restrictions.

End of schedule

Appeal B

- 1) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than within that recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).
- 2) The illumination and advertisement/displayed image shall not be intermittent or flashing, not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements), not incorporate changing light patterns, and shall show two dimensional images only.

- 3) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.
- 4) No audio associated with the advertisements.
- 5) Messages relating to the same product shall not be sequenced.
- 6) The advertisements displayed on each panel shall not change more frequently than once every 10 seconds.
- 7) The interval between each piece of content on the digital display screens shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.

End of schedule

Appeal C

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are:

Site Location Plan Drawing No West-ER1/2024/01
Proposed Site Plan Drawing No West-ER1/2024/03
Proposed Elevations/Technical Specification Drawing No West-ER1/2024/04
Proposed Illustration Drawing No West-ER1/2024/06
- 3) Prior to commencement of development, a Management Plan shall be submitted to and approved by the Local Planning Authority setting out how the development will tackle anti-social behaviour. The approved plan shall be adhered to for as long as the hub is in operation.
- 4) The footway and carriageway of the concerned public highway must not be blocked during the installation and maintenance of the proposal. Temporary obstruction during the installation / maintenance must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian or obstruct the flow of traffic.
- 5) The proposed Pulse Smart Hub shall be maintained in a condition that does not impair the visual amenity of the site.
- 6) All vehicles associated with the works must only park / stop at permitted locations and within the time periods permitted by existing on-street restrictions.

End of schedule

Appeal D

- 1) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than within that recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).
- 2) The illumination and advertisement/displayed image shall not be intermittent or flashing, not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements), not incorporate changing light patterns, and shall show two dimensional images only.
- 3) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.
- 4) No audio associated with the advertisements.
- 5) Messages relating to the same product shall not be sequenced.
- 6) The advertisements displayed on each panel shall not change more frequently than once every 10 seconds.
- 7) The interval between each piece of content on the digital display screens shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.

End of schedule

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/X5990/W/24/3356872	Urban Innovation Company (UIC) Ltd
Appeal B	APP/X5990/H/24/3356873	Urban Innovation Company (UIC) Ltd
Appeal C	APP/X5990/W/24/3356868	Urban Innovation Company (UIC) Ltd
Appeal D	APP/X5990/H/24/3356870	Urban Innovation Company (UIC) Ltd