



Appeal Decisions

Site visit made on 3 June 2025

by **N Teasdale BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2025

Appeal A Ref: APP/T5150/W/24/3356996

420-422 High Road, Wembley, Brent HA9 6AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by IN FOCUS NETWORK LIMITED against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/2808.
 - The development proposed is installation of a multifunction hub unit featuring an integral advertisement display and defibrillator on pavement adjacent to 420-422 High Road, Wembley, HA9 6AH.
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Appeal B Ref: APP/T5150/H/24/3356991

420-422 High Road, Wembley, Brent HA9 6AH

- 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 IN FOCUS NETWORK LIMITED against the decision of the Council of the London Borough of Brent.
 - The application Ref is 24/2809.
 - The advertisement proposed is advertisement consent for integral advertisement display to multifunction hub unit on pavement adjacent to 420-422 High Road, Wembley, HA9 6AH.
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Decision

1. Appeal A and Appeal B are dismissed.

Procedural Matters

2. As set out above there are two appeals on this site. They differ only in that Appeal B is 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 two schemes together, except where otherwise indicated.
3. Regulations to control advertisements may be exercised only in the interests of amenity and public safety. Although the reasons for refusal for Appeal B refers to policies contained in the London Plan, 2021 (LP), Brent Local Plan (2019-2041), 2022 (BLP) and Transport for London Pedestrian Comfort Guidance for London Guidance Document, 2010 (TfL GD), these are material considerations rather than being decisive in the determination of Appeal B.
4. The description of development as set out in the above banner heading has been taken from the Council's decision notice as this specifically refers to the proposed development in respect of both appeals.

Main Issues

5. It is considered that the main issues for Appeal A are the effect of the proposed development on:
 - The character and appearance of the surrounding area; and
 - Pedestrian/highway safety.
6. For Appeal B, the main issues are the effect of the proposed advertisement on:
 - Amenity; and
 - Public safety.

Reasons

Character and appearance

7. The appeal site relates to a proportion of the pedestrian pavement, located on the northern side of High Road within the Wembley Town Centre boundary. A mixture of street furniture is located within the immediate vicinity in the form of street lighting, refuse bins, street signage, bollards, traffic lights, benches, bike racks and street trees.
8. The proposed development seeks planning permission for the installation of 1no. multi-purpose communication hub, incorporating a digital LCD advert screen on one side and a telephone, charging point, and defibrillator on the other. It would be sited on the pavement outside No.420-422 High Road and would be a freestanding structure with a height of 2.63 metres, a width of 1.33 metres, and a depth of 0.91 metres. The materials would be galvanised steel with a powder-coated metal case and digital HD display screen. It would offer a range of services that includes free ultrafast Wi-Fi, free phone calls to landlines and charities, defibrillator, wayfinding, device charging, rapid connection to emergency services, public messaging capabilities, and a platform for other technologies, available to the public. The advertisement display is the subject of Appeal B.
9. The proposed development would be positioned in a prominent location in the middle of the pavement, in line with the existing street trees and benches being readily visible from a number of public viewpoints. The proposed communication hub structure together with the internally illuminated digital advertisement panel, by reason of its size, scale, siting and design would be unduly obtrusive in this specific location and would result in cumulative visual clutter. It would comprise a visual barrier that harms the sense of openness and legibility which would be harmful to the visual amenity of the surrounding area and public realm. The proposed development would also constrain the width of the pavement which I discuss further below and would restrict the movement of people which is exacerbated by the use of the user interface/facilities. This would have a negative impact on the quality of the surrounding streetscape and public realm.
10. The proposed advertisement would be internally illuminated which would increase its overall visual prominence in this location even taking into account levels of luminance and display of content which could be controlled. In coming to such findings, I have had due regard to the scale and size of nearby buildings, other street furniture and the presence of shop frontages but this would not mean that

the scheme would not be dominant as it would unnecessarily add to street clutter in the area where it would appear obtrusive in this particular setting.

11. For the above reasons, I conclude on this issue that the proposed development would unacceptably harm the character and appearance of the surrounding area. Appeal A would therefore be contrary to Policy D8 of the LP; Policies DMP1 and BD1 of the BLP; Brent Design Guide Supplementary Planning Document 1, 2018 and Advertisements (other than shops) Supplementary Planning Guidance 8, 2004. Such policies amongst other matters, explain that development proposals should ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain.
12. Given my findings above in terms of character and appearance matters, it is concluded that Appeal B would also harm amenity and would conflict with the above-mentioned policies.

Pedestrian/highway safety

13. It is understood that Brent Council has targets to increase active travel modes such as walking and cycling, with one of the requirements being to reduce street clutter to ease pedestrian flow.
14. High Road is a London Distributor Road, and a bus route. The location of the site within the town centre, close to Wembley Stadium and outside a parade of shops results in a high pedestrian footfall, especially on Wembley Stadium event days. The site is located adjacent to a signalised pedestrian crossing and the access point of an off-carriageway cycle path that allows cyclists to access that crossing.
15. Whilst the overall width of the pedestrian space in this location is generous, not all of this is freely available, as planters are in place to the front of the adjoining restaurant unit that reduces the footway width down to 9.5 metres. The footway also accommodates a short length of cycleway, and no details of this cycle facility have been submitted to demonstrate that the resulting footway width would be sufficient. It would also prejudice the Highway Authority's ability to efficiently manage and improve this length of the highway by adding to street clutter in the area.
16. Even if the available width of footway would comply with the recommended minimum footway width of 5.3 metres for a larger item of street furniture in an area of high pedestrian flow, as set out in the TfL GD, no details of pedestrian flows have been submitted to support the appeal. To this end, actual pedestrian flows in this area on Wembley Stadium event days are exceptionally high. Full capacity events typically see 10,000 or so people using Wembley Central station and thus walking along this length of High Road before and after stadium events. As much unobstructed footway space as possible is therefore required to maintain pedestrian safety.
17. The site is also located close to a busy signalised pedestrian crossing. This is a point at which drivers need to pay particular attention to the road conditions as the location is one where there are a lot of potential conflicting movements. The proposed advertisement is likely to result in driver distraction away from the pedestrian crossing and other turning manoeuvres along this stretch of High Road, to the detriment of the safety of other highway users.

18. For the reasons given above, I conclude on this issue that the proposed development would unacceptably harm pedestrian/highway safety. Appeal A would therefore be contrary to Policy T2 of the LP, Policy DMP1 of the BLP and TfL GD which together, amongst other matters, explains that development will be acceptable provided it is satisfactory in terms of means of access for all, parking, manoeuvring, servicing and does not have an adverse impact on the movement network.
19. Given my findings above in terms of pedestrian/highway safety matters, it is concluded that Appeal B would also harm public safety and would conflict with the above-mentioned policies.

Other Matters

20. I am aware of the appellant's frustrations with the Council during the course of the application process although this would not alter my findings in relation to the above main issues.
21. The appellant is fully committed to ensuring the quality of installations including their management and reduction in crime although again this would not alter my findings.
22. I acknowledge the benefits associated with the scheme as referred to above and I am aware of the support set out in the Framework for high quality communications whilst noting smart city solutions, unit management plans, sustainability, and innovation matters. However, given the nature of the development, the extent to which these are beneficial are limited and would not outweigh the identified harm. In respect of Appeal B, this relates to advertisement consent only where the regulations require that I exercise my powers only with regard to amenity and public safety.
23. Reference has been made to the appellant's plans to replace an existing telephone call box at another site. However, no existing telephone kiosk would be removed in this location, so this proposal is for an entirely new piece of street furniture that will unnecessarily add to street clutter in the area.

Conclusion

24. The proposed development would unacceptably harm the character and appearance of the surrounding area and would unacceptably harm pedestrian/highway safety. Accordingly, the proposed development would conflict with the development plan when considered as a whole as well as the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. There are no material considerations, either individually or in combination including the provisions of the Framework, that would outweigh the identified harm and associated plan conflict. I conclude that Appeal A and Appeal B should be dismissed.

N Teasdale

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/T5150/W/24/3356996	IN FOCUS NETWORK LIMITED
Appeal B	APP/T5150/H/24/3356991	IN FOCUS NETWORK LIMITED