
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/24/3356994

Bank Buildings, 6-8 High Street, Brent, London NW10 4LT

- 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 24/2806.
 - The development proposed is installation of 1x Communication Hub, incorporating a digital LCD advert screen and defibrillator on the pavement outside No. 6 - 8 Bank Buildings, High Street, NW10.
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Appeal B Ref: APP/T5150/H/24/3356990

Bank Buildings, 6-8 High Street, Brent London, NW10 4LT

- 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 24/2807.
 - The advertisement proposed is internally illuminated static freestanding advertisement display on communication hub on the pavement outside No. 6 - 8 Bank Buildings, High Street, NW10.
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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 appeal site is located within the Harlesden Conservation Area (CA). I therefore have a duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I have also had regard to paragraph 212 of the National Planning Policy Framework (the Framework) which explains that when considering the impact of a proposed

development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. In advertisement appeals this is only relevant in so far as it relates to amenity.

5. 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

6. 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, including whether it would preserve or enhance the character or appearance of the CA; and
 - Pedestrian/highway safety.
7. For Appeal B, the main issues are the effect of the proposed advertisement on:
 - Amenity; and
 - Public safety.

Reasons

Character and appearance

8. The appeal site relates to the pavement outside No. 6 - 8 Bank Buildings, High Street, which is within the Harlesden Town Centre. There are lampposts, signs, bins, bollards, benches, street trees, and bicycle stands in the vicinity of the site.
9. The proposed development seeks planning permission for the installation of 1x multi-purpose communication hub, incorporating a digital LCD advert screen on one side and defibrillator on the other side. It would be a free-standing structure (height 2.63 metres, width 1.33 metres, depth 0.91 metres) constructed of galvanised steel with a powder-coated metal case and digital HD display. 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.
10. As referred to above, the appeal site is located within the CA where its significance as a designated heritage asset is derived predominantly from the examples of high-quality period architecture commonly found above ground-floor level, often consisting of clearly articulated decorative details and attractive brickwork. The site contributes to the significance of the CA primarily due to affording views of the well-maintained historic architecture present above ground-floor level on nearby properties on both sides of the street.
11. The proposed development would be positioned in a prominent location at the front of the pavement, next to the highway 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 result in unduly obtrusive and cumulative visual clutter,

detrimental to the character of the streetscene and public realm. 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.

12. 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. It would stand out in long views on the High Street, disrupting the backdrop of historic buildings and would draw excessive attention. This would detract from the CA's special character.
13. For the above reasons, the proposed development would unacceptably harm the character and appearance of the surrounding area. It would fail to preserve the character or appearance of the CA which would result in less than substantial harm to the significance of the designated heritage asset.
14. Paragraph 215 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. This balancing exercise applies to Appeal A. The benefits associated with the scheme are those 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 to the CA which I have attached great weight given the requirements of the Framework. 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.
15. Appeal A would therefore be contrary to Policy D8 of the LP; Policies DMP1, BHC1 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. The proposed development would also not conserve the heritage asset in a manner appropriate to its significance, or positively contribute to local character or distinctiveness in line with the aims of Section 16 of the Framework relating to conserving and enhancing the historic environment.
16. 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

17. 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.
18. The location of the site within the town centre and outside a parade of shops results in a high pedestrian footfall. Whilst the available footway width may comply with the recommended minimum footway width 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. The introduction of the Hub unit would also still contribute to street clutter and would introduce a visual and physical obstruction. It would prejudice the Highway Authority's ability to efficiently manage and improve this length of the highway by adding to street clutter in the area.
19. The proposed development would also be sited within close proximity of a loading bay located to the south which would impede visibility between pedestrians crossing the street in this location and buses and delivery vehicles travelling along High Street, particularly if they are exiting the loading bay as the presence of any pedestrians behind the panel would be obscured. This would be detrimental to pedestrian/highway safety having particular regard to the specific characteristics of the appeal site where the unpredictability of pedestrian movements is apparent. To this end, the design of the street encourages free pedestrian movement across the street at all points meaning that pedestrians will cross at random points. It is therefore important that the footways along either side of the street are kept as clear of clutter as possible so that obstruction to visibility between pedestrians and drivers is minimised.
20. Reference has been made to the existing hub located to the south of the appeal site where the appellant claims that there have been no reported incidents or accidents associated with this unit since its installation. However, I have limited details in relation to this hub and this would not alter my findings on the scheme before me which I have considered on its own merits. This is the same for the unit at 19 Craven Park Road and the Council has also confirmed that this was sold as an upgraded replacement of an existing telephone kiosk with a new style kiosk which is not the case for the appeal before me.
21. Traffic speeds may well be low and even if drivers are professionally trained and cautious/aware of pedestrian movements, this does not mean that there would not be conflicting movements nor justify the scheme as the development introduces a new risk of visibility obstruction which could lead to potential safety issues.
22. 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 the 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.
23. 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

24. 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.
25. 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.

Conclusion

26. 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/24/3356994	IN FOCUS NETWORK LIMITED
Appeal B	APP/T5150/H/24/3356990	IN FOCUS NETWORK LIMITED