
Appeal Decisions

Site visit made on 30 October 2025

by **G Sylvester BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20th November 2025

Appeal A Ref: APP/P0240/H/25/3366835

Land Outside 17 North Street, Leighton Buzzard LU7 1EF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 as amended (“the Regulations”) against a refusal to grant express consent.
 - The appeal is made by Mr Thomas Johnston of NWP Street Limited against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/00567/ADV.
 - The advertisement proposed is the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display
-

Appeal B Ref: APP/P0240/W/25/3366834

Land Outside 17 North Street, Leighton Buzzard LU7 1EF

- 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 Thomas Johnston of NWP Street Limited against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/00566/FULL.
 - The development proposed is the installation of 1 no. new communications Kiosk with integrated defibrillator and advertising display.
-

Decisions

1. Appeal A is dismissed, and Appeal B is dismissed.

Preliminary Matters

2. There are two appeals on this site, and they differ insofar as Appeal A is against the refusal to grant express consent to display an advertisement, under the Regulations, on the structure that was refused planning permission to be erected under the Act in Appeal B. I have assessed each appeal on its individual merits. However, given the relationship between them and to avoid duplication in this decision letter, I have dealt with the two appeals together except where otherwise indicated, often referring to them collectively as the schemes in these appeals. In doing so, I have had regard to my duty under Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 (“the LBCA”) to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Main Issues

3. The main issues in these appeals are the effects of the development and the advertisement display on (i) amenity and the character and appearance of the Leighton Buzzard Conservation Area (“the CA”), and (ii) on public safety.

Reasons

Amenity and the CA

4. Insofar as relevant to this appeal, the CA derives its significance partly from the relatively high quality of its traditional built environment within what can reasonably be described as the historic commercial core of the town centre. This includes a variety of attractive traditional buildings, often with ground floor shop style fronts, set in long terraced rows fronting onto the public realm of the pavements and roads.
5. Those rows of buildings create a strong built frontage and an attractive, traditional and well-ordered townscape that is clearly visible across the spacious public realm of this part of North Street, and which contributes positively to the character and appearance of the CA as a whole, and its significance as a designated heritage asset. I am advised by the Council that the Central Bedfordshire Design Guide 2023 ("the CBDG") advises that developments and advertisements should preserve or enhance the character or appearance of conservation areas.
6. The proposed Kiosk with advertisement installation would be set in a somewhat isolated position on the spacious pavement, well away from the facades of the buildings fronting the street and close to the edge of the carriageway. It would appear as a bulky freestanding structure due to the relationship between its height, width and solidity. It would be far bulkier than the existing street furniture in the area, which includes permeable railings around the road junctions, thin profiled streetlight and CCTV columns, along with the occasional litter bin and bench.
7. In this context, the proposed installation would appear as an intrusive element of visual clutter in street level views that would harmfully erode the relative spaciousness of the public realm and intrude into views of the attractive period buildings in the townscape. This would be exacerbated by the size and relative brightness of the illuminated advertisement's imagery, which would draw the eye towards the proposed installation.
8. Whilst illuminated adverts of varying sizes and colours are common in the town centre and the CA, they are nearly all integral to the ground floor shop style fronts of the buildings. By comparison the freestanding position of the proposed installation and advertisement would be somewhat isolated from those shop fronts and relatively prominent in the foreground to those buildings. This would disrupt the clear distinction between the rows of buildings and shop fronts on both sides of the road that are separated by a spacious public realm.
9. Controlling luminance levels, preventing animation and interactive imagery, ensuring the near instantaneous switching of adverts, and switching the proposed advertisement off overnight would not be sufficient to overcome the harm caused by the position and scale of the proposed installation and the display of the advertisement.
10. For those reasons, I conclude that the proposed installation would be detrimental to amenity and would fail to preserve or enhance the character or appearance of the CA, thus resulting in harm to its significance as a designated heritage asset. Consequently, it would be contrary to the above guidance in the CBDG, and Policies HQ1 and HE3 of the Central Bedfordshire Local Plan 2015-2035, July 2021 ("the CBLP") insofar as they seek developments that respond positively to

their context and reinforce local distinctiveness, and preserve and enhance the special interest of heritage assets.

11. The appellant states that as the proposed installation would function as a public payphone, CBLP Policy HQ5, which relates to new masts or telecommunications equipment would be relevant. Given my conclusions on this main issue, the schemes in these appeals would be contrary to Policy HQ5 insofar as it requires such equipment to be sympathetically designed to its context, including the CA, and to not be visually intrusive.
12. In terms of the National Planning Policy Framework (“the Framework”) the degree of harm to the CA as a designated heritage asset would be within the ‘less than substantial’ category and low on the spectrum of that harm. The Framework is clear in Paragraph 212 that great weight attaches to the conservation of a designated heritage asset, and this is therefore a matter of considerable importance and weight. Paragraph 215 of the Framework and CBLP Policy HE3 requires the harm to a heritage asset to be weighed against the public benefits of a proposal taking account of the scale of harm and the impact on the significance of the asset.
13. The Framework supports the expansion of electronic communications networks, which bring social and economic benefits, likewise the UK Digital Strategy. The proposed installation would be available to display adverts from local businesses and enterprises at a discounted rate. Adverts are economically beneficial, encouraging business activity and trade. Business rates would accrue to the Council.
14. The appellant’s evidence indicates that its installations are used regularly to call emergency services and by members of the public seeking access to a range of services, particularly those supporting persons in need. Persons without access to a mobile phone or landline, including some of the most vulnerable in society, could use the proposed installation to make calls, find information on support services and receive notifications from them and other public service providers. The proposed installation would provide public information including wayfinding and points of interest, and it would allow for cash, debit, credit card and contactless payments. It has the capability of hosting important Council communications and emergency incident messaging, at no cost to those public authorities.
15. Those are clear benefits weighing in favour of the proposed installation, albeit tempered by the fact that I have limited evidence to demonstrate whether there is a shortage of such facilities in the local area. The use of personal phones and mobile devices is widespread and would be expected to provide a sizeable proportion of the public with convenient options for communicating and receiving messages from a wide range of sources. There is no substantive evidence that the town centre suffers from poor mobile coverage.
16. The evidence before me indicates that the chance of surviving a cardiac arrest increases with proximity to a defibrillator device. Therefore, the provision of a defibrillator at the proposed installation is a clear benefit. However, the evidence before me gives little indication of whether there is a relative absence of such devices in the area, be that in fixed locations or held by the emergency services. An interested party refers to there being multiple such devices well positioned in

the town centre and no substantive evidence has been advanced to the contrary by the main parties.

17. The proposed installation would be sited on a hard surfaced pavement, and I have no evidential basis to consider that trees or vegetation would be harmed. I note the appellant's partnership with Trees for Cities but in this instance the proposed planting of trees would not be necessary to make the development acceptable, nor fairly and reasonably relate to the development proposed.
18. As a developer contribution under CBLP Policy HQ2, tree planting would not, in this instance, meet the tests for imposing conditions or amount to a reason to grant permission. I have limited information on the location for the proposed tree planting. Therefore, the intention to plant trees would be of little, if any, weight in favour of the schemes in these appeals. An absence of harm to the listed buildings identified in the appellant's heritage statement is a neutral matter that does not weigh in favour or against the schemes in these appeals.
19. Great weight attaches to the conservation of a designated heritage asset. Taking all the above into account, the public benefits of the proposed installation carry moderate weight in its favour, which is insufficient to outweigh the less than substantial harm to the significance of the CA as a designated heritage asset. Consequently, I conclude on this main issue that there would be conflict with Section 72(1) of the LBCA, conflict with CBLP Policies HQ1 and HE3, the requirements of which are set out above, and conflict with the Framework's policies on the preserving and enhancing the historic environment. There would also be conflict with the Framework which states that the quality and character of places can suffer when advertisements are poorly sited and designed.

Public safety

20. The proposed installation and advertisement would be sited to the south of the roundabout junction that consists of four 'arms' with pedestrian zebra-type crossings on three of them. Converging at the roundabout are the principal highway routes through the town of Leston Road, West Street and North Street. There are several streetlighting columns around the roundabout junction which indicate that it is likely to be well-lit during the hours of darkness.
21. At the time of my visit the area around the site of these appeals seemed to be fairly typical of a town centre location. The area was generally busy with vehicles moving through the roundabout junction at relatively low speeds consistent with the speed limits. Vehicles stopped frequently to give way to pedestrians and vehicles approaching from the right which have priority. Pedestrians regularly used the crossings. There was some queuing of vehicles on the approaches to the roundabout.
22. Whilst the proposed advert would be seen by users of the highway network, being visible is not necessarily the same as being unduly distracting and harmful to highway safety. The Council has given very little explanation as to why the proposed advert would be distracting and in what views it considers those effects would occur. The proposed advert's level of brightness could be controlled and visual effects such as animation, scrolling and flashing could be precluded. Although not static, road users would not experience frequent changes in adverts, which would each be displayed for no fewer than 10 seconds.

23. Seen from the vantage point of a driver travelling towards the roundabout from the east, south and west, the proposed advert would be in an offset position relative to a driver's viewing angle towards the vehicles joining it. There would be little if any intervisibility between the proposed advert and the pedestrian crossings on West Street and Leston Road given that those crossings are set back some distance from the roundabout.
24. From the vantage point of a driver travelling towards the roundabout from the north and approaching the crossing, the advert would be in a roughly straight-ahead position. However, given the relationship between the size of the proposed advert and a driver's viewing distance, the proposed advert would be less visibly prominent than the zebra crossing, the surface of which is raised above the surrounding carriageway and clearly identifiable by its road markings and tall amber Belisha beacons.
25. Relative to a driver's viewing angle towards vehicles approaching the roundabout from the right the proposed advert would be in an offset position and not likely to distract the driver's attention when waiting to join the roundabout from the north. It would also be offset relative to the direction of travel for pedestrians using the crossing. For those reasons, the proposed advert would not be expected to distract the attention of drivers approaching the crossing and the roundabout from the north or to pedestrians using that crossing.
26. Given how the proposed advert could be controlled, I do not consider that road users would suffer confusion between its imagery and the frequent flashing of the beacons at the pedestrian crossings. No other road signals were apparent at the roundabout junction. Taking all the above into account, the proposed advertisement would not negatively affect the ability of drivers seeing and reacting to pedestrians using the crossings or other road users on the roundabout. There is no real risk of it unduly distracting the attention of road users.
27. The proposed installation, situated on an existing pedestrian pavement, would not introduce any unacceptable safety risk to pedestrians from vehicular impact. Any potential limitation on the ability of occupants in parked vehicles to open doors across the pavement would be negligible, given the relationship between its width facing North Street and its setback from the carriageway. Furthermore, I find no reason to doubt that the proposed installation would be constructed from durable materials and maintained appropriately.
28. For those reasons, I conclude that the appeal schemes would not be harmful to public safety, including users of the public highway. Therefore, they would accord with CBLP Policy T2 insofar as it requires detrimental effects on highway safety to be avoided. There would be no conflict with Framework paragraph 116 insofar as it states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. An absence of harm to public safety is a neutral factor that does not weigh in favour or against the appeals.

Other Matters

29. Previous appeal decisions in London¹ for which full details are not before me, appear to concern the replacement of existing kiosks and are therefore materially

¹ APP/R5510/Z/16/3157043 and APP/K5600/W/17/3190377

different in context, carrying limited relevance and weight to my site-specific considerations of the current appeal schemes. Likewise, the approval of a similar scheme in Middlesbrough by the relevant local planning authority, for which full details are not before me, does not provide a meaningful basis for comparison. The support from an interested party is acknowledged, but since no reasons were provided, their support is given little weight.

Conclusion

30. For the reasons given above and having considered all evidence before me, I conclude that the appeals should be dismissed.

G Sylvester

INSPECTOR