



Appeal Decisions

Site visit made on 6 October 2025

by **C Housden BSc(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal A Ref: APP/C5690/W/25/3369838

Pavement o/s 3-7 Bromley Road, London SE6 2TX

- 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 Simon Warner of BT Telecommunications Plc against the decision of the Council of the London Borough of Lewisham.
 - The application ref is DC/25/139352.
 - The development proposed was originally described as “the installation of 1no. BT Street Hub and removal of associated BT payphones”.
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Appeal B Ref: APP/C5690/H/25/3369839

Pavement o/s 3-7 Bromley Road, London SE6 2TX

- 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 Simon Warner of BT Telecommunications Plc against the decision of the Council of the London Borough of Lewisham.
 - The application ref is DC/25/139353.
 - The advertisement proposed was originally described as “the installation of 1no. BT Street Hub and removal of associated BT payphones”.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for the installation of 1no. BT Street Hub at pavement o/s 3-7 Bromley Road, London SE6 2TX in accordance with the terms of the application, ref DC/25/139352, subject to the conditions in the attached schedule.

Appeal B

2. The appeal is allowed and express consent is granted for the display of 2 no. digital advertisements within a BT Street Hub at pavement o/s 3-7 Bromley Road, London SE6 2TX. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) and the conditions in the attached schedule.

Procedural Matters

3. Appeal A relates to the refusal of planning permission to install a BT Street Hub, whilst Appeal B relates to the refusal of express consent to display advertisements on the street hub. I have combined the appeals into a single decision letter as they

are intrinsically linked and raise similar issues, however I have considered each on their individual merits.

4. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. In reaching my decision on Appeal B, I have had regard to the development plan policies cited in the evidence, but only in so far as these are material to amenity and public safety considerations.
5. Furthermore, the appeal site is located within the Culverley Green Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In advertisement appeals (Appeal B) this is only relevant in so far as it relates to amenity.
6. The description of the proposals as set out in the banner heading for both Appeals A and B, are taken from the respective application forms, with both proposals described the same for both appeals. However, I have made a number of alterations to the descriptions of both appeals in my formal decisions in the interests of precision and accuracy.
7. In relation to Appeal A, the description refers to the removal of existing BT payphone, which the evidence confirms are situated along Rushey Green and Winslade Way. However, these payphones are located outside of the red line boundary and away from the appeal site and therefore do not form part of the land to which the application relates. I have no evidence before me that their removal could be secured through either a condition or planning obligation. It therefore cannot form part of the description of development and as such I have removed this element from my formal decision. Whilst I have been provided with examples of decisions where other inspectors have used a condition to secure the removal of existing kiosks, I have limited information as to whether the circumstances are comparable to the appeal before me where the existing structures are situated outside of and away from the appeal site.
8. In relation to Appeal B, I have used the description from the Council's decision notice as it relates directly to the advertising element of the proposal, rather than the proposal as a whole as referred to in the application form.
9. Since the determination of the planning application, the Council adopted a new local plan, the Lewisham Local Plan (2025) (LLP). Accordingly, I sought the views of the main parties regarding this material change in circumstances and was provided with the new relevant policies. I must make my decision based upon the development plan which is in force at the time of my decision. As such, my decision is based upon the current development plan, which now includes the LLP.
10. In relation to Appeal A and the main issue of living conditions, the Council has not referred to the specific addresses of the relevant neighbouring properties in its reason for refusal. However, based on the evidence before me, it is clear that the properties in question are those situated above the ground floor shops situated along Bromley Road, adjacent to the appeal site. I have made my decision on this basis.

Main Issues

11. The main issues are the effect of the proposals on:

- amenity, character and appearance of the area, with particular regard to the Culverley Green Conservation Area (Appeal A and Appeal B);
- the living conditions of occupiers of the nearby flats (Appeal A); and
- public safety, with specific regard to highway and pedestrian safety (Appeal B).

Reasons

Character, appearance and amenity – Appeals A & B

12. The appeal site is situated within the Culverley Green Conservation Area (CA). In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
13. The Culverley Green Conservation Area Character Appraisal (CA Character Appraisal) identifies the special interest of the CA lies in its form as a mainly Edwardian residential suburb with wide tree-lined streets and a grid layout.
14. Specifically, the site is located within the Canadian Avenue and Bromley Road character area. The CA Character Appraisal describes Bromley Road as the oldest recognisable feature of the CA which was once the main coaching route between London and Kent. It describes the wider and gently sweeping curve of Bromley Road with houses set well back results in a series of views and contrasts with the narrower tree-lined Canadian Avenue. Further contributing features of this character area include the large open sports ground and architecturally diverse detached villas with a consistent building line and heights of two and a half storeys.
15. The appeal site relates to a section of pavement located on Bromley Road. It is situated outside a row of shops and within close proximity to a number of bus shelters, bicycle stands, streetlights and road signs. The site appears as part of the established footway and therefore has a neutral contribution to the CA.
16. Whilst the proposal would introduce a modern addition to the streetscene with an illuminated display, this specific part of Bromley Road is heavily influenced by the street furniture as described above. As such, the proposal would be seen as in keeping with this cluster of street furniture and would not be intrusive in the streetscape. The proposal would not undermine or harm the identified special interest of the CA.
17. Therefore, in relation to Appeal A, I conclude that the proposal would be in keeping with the character and appearance of the area. It would result in no harm to and would preserve the character and appearance of the CA. The proposal would therefore comply with Policies QD1, QD3, QD12 and HE1 of the LLP and Policies D8 and HC1 of the London Plan (2021) (LP). These policies, amongst other matters, seek to ensure development is well-designed with no adverse impacts on local character and successfully responds to local distinctiveness of the area,

whilst also seeking to preserve or enhance the value and significance of Lewisham's historic environment.

18. With regards to Appeal B, the proposal would have an acceptable effect on the visual amenity of the surrounding area including through preserving the character or appearance of the CA insofar as it relates to amenity. The same development plan policies as above have been considered as far as they are material, and in this respect, the proposal would comply with the development plan.

Living conditions – Appeal A

19. Bromley Road is a busy and well trafficked road. It features a number of streetlights in close proximity to the appeal site, whilst users of the road at night utilise headlights. The consultation response from Transport for London states that two night services run from the nearby bus stops. The immediate area surrounding the appeal site is therefore active throughout the night and is continuously lit.
20. Whilst the BT Street Hub would also be continuously illuminated, nighttime illumination would be controlled by a condition which would ensure that adequate controls are in place. Given the area would already be continually lit, the evidence does not demonstrate how the illumination of the development would cause any material harm to the nearby neighbouring occupiers, with particular regard to those closest in the adjacent flats. Furthermore, due to the busy nature of Bromley Road, which includes night buses, I have no convincing evidence that the BT Street Hub would generate materially harmful noise and disturbance from its use to surrounding occupiers above the already established busy environment.
21. I therefore do not consider that the proposal would result in harm to the living conditions of the occupiers of the nearby residential units. The proposal would therefore comply with Policies QD1, QD3, QD7 and QD12 of the LLP and Policy D8 of the LP. These policies, amongst other matters, seek to ensure that development is well designed that ensures there would be no unacceptable adverse impact on amenity and does not result in harm to adjoining neighbouring properties.

Public safety – Appeal B

22. The proposal would be located after the junction of Sangley Road with Bromley Road and before the bus stop and shelters. It would be set in from the road, approximately in line with the adjacent cycle stands. The pavement is wide, and the streetscape is busy with existing adverts already situated within the wider area along with a variety of street furniture, lighting and shop fronts.
23. I have been provided with the Transport for London Guidance for Digital Roadside Advertising and Proposed Best Practice (2013). In particular this guidance sets out the position of digital advertisements is likely to be best located alongside the nearside carriage and orientated to face towards oncoming drivers to reflect the positioning of official road signs. The proposal would comply with the guidance in this regard. It also suggests that in areas where static advertising exists, or would be accepted, digital static advertising is also likely to be acceptable. In this regard, on my visit I observed there was already a large digital advertisement directly opposite the junction of Bromley Road and Sangley Road, along with advertisements on the bus shelters nearby. The proposal would therefore not be

viewed in isolation and instead as part of a varied and busy streetscene which features existing advertisements.

24. Furthermore, whilst the advert would be continually illuminated, the advertisements would be static, and the area would be continually well lit through other sources of illumination such as streetlights so the advert would not harshly contrast with the background lighting levels. The level of illumination, including a reduced level at night, and the change of displays would be able to be controlled by a condition in order to ensure that the proposal would not be of an excessive level of illuminance.
25. The appeal proposal would also be set ahead of the shelters and bus stop markings on the road meaning that it would not interfere with pedestrians and users of the buses, including those who may require extra mobility facilities entering and exiting the buses.
26. The BT Street Hub would be set away from the junction and on a mostly straight part of the road where drivers would not be undertaking complex or demanding manoeuvres that may require greater attention. The evidence does not demonstrate that the proposal would obstruct or impair sight-lines at corners, bends or at a junction, or at any point of access to a highway. It also does not demonstrate that the proposal because of its size or siting would obstruct or confuse a road-user's view, or reduce the clarity or effectiveness of a traffic sign or signal, or would be likely to distract road-users because of its nature. The proposal would therefore not conflict with the guidance contained within the Planning Practice Guidance (PPG)¹ which advises what types of advertisement may cause danger to road users.
27. I therefore do not consider that the advertisement would result in an adverse effect to public safety. Therefore, insofar as they are relevant to Appeal B, the proposal would comply with Policies TR1, QD3 and QD12 of the LLP and Policies D8, T2 and T4 of the LP. These policies, amongst other matters, seek to ensure there is no impact on public or highway safety and for proposals to not increase road danger.

Conditions

28. I have considered the conditions suggested by the Council against the tests in the National Planning Policy Framework (the Framework) and the advice in the PPG. In meeting the tests of the Framework, I have amended the wording of conditions where necessary.
29. In relation to Appeal A the standard timescale condition for implementation and a plans compliance condition are imposed for the avoidance of doubt and in the interests of certainty. I have also imposed a condition which requires the development to be carried out in accordance with the details included within the submitted supporting documents. This condition is necessary in the interests of character and appearance, including the CA, public safety and to ensure that the development operates as per the submitted details.
30. A condition relating to preventing obstructions to the highway during installation and maintenance is considered necessary for both the planning permission and advertisement consent given the location of the development along a busy road.

¹ Paragraph: 068 Reference ID: 18b-068-20140306

31. In relation to Appeal B, the five standard conditions are applied as set out in Schedule 2 of the Regulations which I do not need to replicate.
32. It is not necessary for me to apply a plans compliance condition when granting express consent for the display of an advertisement, so I have not included this suggested condition.
33. A condition to control the illuminance of the advertisement is necessary in the interests of public safety. A reduced luminance level of 300cd/m², compared to 600cd/m² as proposed, between dusk and dawn has been suggested by the Council. However, the evidence before me sets out that 600cd/m² would comply with the recommendations of the Professional Lighting Guide 05 (PLG 05) for an advertisement in an urban area with less than 10m² illuminated. I do not have any convincing evidence before me that a reduced level should be imposed, particularly given the already busy, well-lit urban area the proposal is located within. Therefore, I only find it necessary to restrict the luminance to 600cd/m² at nighttime.
34. In the interests of amenity and public safety, with particular regard to character and appearance and the safety of road users, it is necessary to impose conditions ensuring there are no special effects or interactive messages on the advertisements, ensuring the transitions are instantaneous without visual effects, minimum display times of at least ten seconds and to ensure adverts do not display traffic signs.

Conclusion

35. For the reasons given above, I conclude that both Appeal A and Appeal B should be allowed.

C Housden

INSPECTOR

-- Schedule of Conditions --

Appeal A Ref: APP/C5690/W/25/3369838

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 001 Rev A, 002 Rev A and 003 Rev A.
- 3) The development hereby approved shall be installed and maintained at all times thereafter in accordance with the details specified within the documents titled:
 - Street Hub Anti-Social Behaviour Management Plan (Version 3);
 - Street Hub Product Statement (September 2024 Version 2.0); and
 - Declaration of Conformity with Public RF Exposure Guidelines of the International Commission on Non-Ionising Radiation Protection.
- 4) The footway and carriageway on Bromley Road must not be blocked during the installation and maintenance of the development hereby permitted. Any temporary obstruction during the installation and maintenance must be kept to a minimum and shall not encroach on the space required to provide safe, unobstructed passage for pedestrians or obstruct the flow of vehicular traffic.

Appeal B Ref: APP/C5690/H/25/3369839

- 1) The intensity of the illumination of the advertisement permitted by this consent shall be no greater than 600 cd/m² between dusk and dawn and at all other times shall be within that recommended by the Institute of Lighting Professionals for a sign within Zone E4 in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement Guide).
- 2) The footway and carriageway on Bromley Road must not be blocked during the installation and maintenance of the advertisement consent hereby granted. Any temporary obstruction during the installation and maintenance must be kept to a minimum and shall not encroach on the space required to provide safe, unobstructed passage for pedestrians or obstruct the flow of vehicular traffic.
- 3) Each advertisement shall be static and there shall be no special effects of any kind or interactive messages displayed.
- 4) The interval between successive displays shall be instantaneous and the complete display screen shall change without visual effects (including fading, swiping or other animated transition methods) between each advertisement.
- 5) The minimum display time for each advertisement should be ten seconds and the use of message sequencing for the same product is prohibited.

- 6) The display shall not use any advertisement to resemble traffic signs, traffic lights or traffic matrix signs.

-- End of Schedule --