
Appeal Decisions

Site visit made on 5 November 2025

by **A Hunter LLB (Hons) PG Dip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 November 2025

Appeal A Ref: APP/T5150/W/25/3372631

Outside Nando's, Edgware Road, London NW9 0DB

- 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 BT Telecommunications PLC against the decision of the Council of the London Borough of Brent.
 - The application Ref is 25/1649.
 - The development is the proposed deployment of a Street Hub 3 unit.
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Appeal B Ref: APP/T5150/H/25/3372633

Outside Nando's, Edgware Road London NW9 0DB

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by BT Telecommunications PLC against the decision of the Council of the London Borough of Brent.
 - The application Ref is 25/1650.
 - The advertisement proposed is two digital 75-inch LCD display screens, one on each side of the Street Hub unit.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The proposal for Appeal B would be an integral part of the proposal for Appeal A. As such, to avoid repetition I have provided one reasoning section, detailing my findings for both appeals. Notwithstanding this, each proposal and appeal has been considered individually, and on its own merits.
4. In relation to Appeal B, the Council's reason for refusal refers to development plan policies. However, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken relevant development plan policies and the National Planning Policy Framework (the Framework) into account, they have not been decisive considerations in my determination of that appeal.

Main Issues

5. The main issues with respect to Appeal A are the effect of the proposed development on highway safety and the character and appearance of the area.
6. In respect of Appeal B, the main issues are the effect of the proposed advertisement on public safety and the visual amenity of the area.

Reasons

Highway safety/public safety

7. The proposed hub would be located on the pavement to one side of Edgware Road, said to be a London Distributor Road and a bus route. The proposal would measure approximately 1.2 metres in width, 3 metres or so in height, with a depth of some 0.35 metres, and be positioned 0.9 metres from the carriageway edge. Its location is near to the junction with Capitol Way, which has traffic lights to control movements through it, along with controlled pedestrian crossing points. There are commercial units nearby, with glazed openings for a restaurant at the back edge of the pavement nearest to the appeal site. Although only a snapshot in time I saw on my site inspection that Edgware Road and the adjoining junction were busy with traffic, although this side of the pavement did not have a heavy footfall.
8. The Council has said the siting of the proposed hub would mean that the pavement width would be reduced to some 2.6 metres or so, for the short distance when passing the hub, which they consider to be satisfactory for pedestrian and other highway users. The retained pavement width would also allow a person pushing a pushchair and those with mobility issues to safely pass one another. I see no reason to disagree with the Council and concur that the reduced pavement width would provide adequate space for pedestrians and other pavement users.
9. Immediately adjoining the proposed hub is a lighting column (to the Burnt Oak side), which I observed has a road traffic sign attached to it approximately 2–2.5 metres or so above the pavement level, advising motorists about an emission zone and speed cameras. In addition, immediately behind that sign is a further pole mounted sign at a similar height providing information for cyclists. The proposed hub would be sited in front of these road traffic signs, due to its scale and height, it would be highly likely to significantly obscure views of these traffic signs from approaching drivers on the nearest carriageway. As a result, drivers travelling along Edgware Road towards Burnt Oak, may not be aware of the emission zone and speed cameras, and cyclists would not see the directional sign, which could cause drivers and cyclists to undertake dangerous manoeuvres as a consequence, creating conditions prejudicial to highway safety.
10. The appellant has said they would be willing to alter the position of the proposed hub to avoid obscuring views of the road traffic signs, and although they have made suggestions about a new location, no revised plans have been provided. Furthermore, it is also unclear if a revised location would be acceptable in all respects, and the views of the Council and interested parties to such a change would not be known. I have therefore assessed the proposal based on the submitted plans.
11. In terms of vehicles moving through the adjoining junction, drivers travelling along Edgware Road towards Burnt Oak would see the proposed hub on a straight and

uncomplicated part of the road. As the traffic lights are located on the opposite side of the junction, drivers would have unrestricted views of them on their approach, and it is unlikely they would be seen in the same direct line as the proposed hub. Drivers turning left from Capitol Way would likely see the proposed hub at close range momentarily. However, it would be located to the lefthand side of the carriageway, and drivers would likely be travelling at slow speeds passed it, its appearance would not be unusual, and it would be unlikely to cause a significant distraction. As it would be positioned behind the controlled crossing points on the nearest carriageway, it would not obscure views of any waiting or crossing pedestrians. In terms of drivers on the opposite carriageway, given the separation distance, across this wide road, the proposed hub would not be a significant distraction to drivers travelling towards Hendon, nor would it interfere with views of the traffic lights for those drivers.

12. Even taking into account that the proposed advertisement is designed to attract attention, I am not persuaded given my findings, site observations, and the suggested conditions to minimise its distraction, including its illumination, that its siting and scale would cause an unacceptable distraction to drivers. Nor would its siting cause any significant obstruction to sight lines along the adjoining highway network, which is not a complex part of the road network.
13. I therefore conclude that there would be adequate pavement width retained for pedestrians, and there would not be unacceptable distraction to drivers, or that sight lines would be adversely affected. However, due to the proposals obscuring views of road traffic signs, in terms of Appeal A there would be harmful highway safety impacts, and in terms of Appeal B it would be harmful to public safety. Although not determinative in relation to Appeal B, I also find that in respect of both appeals the proposals would conflict with the relevant parts of Policies D8, T2, and T4 of The London Plan, The Spatial Development Strategy for Greater London, dated March 2021 (LP) and Policies BT1 and DMP1 of the Brent Local Plan 2019-2041, adopted February 2022 (BLP), insofar as they require proposals to be safe, not increase road danger, not to have an adverse effect on the movement network, provide high quality, convenient and safe cycle routes and improve street safety. In addition, the proposal would conflict with paragraph 117 of the Framework that requires development to create places that are safe and secure.
14. The Council referred to the proposals conflicting with the Pedestrian Comfort Guidance for London, Guidance Document, Mayor of London, Transport for London, dated 2010 (PCG), which is a strategic document with an objective of creating excellent pedestrian environments across London. However, in view of my findings above regarding the retained width of the pavement, I find that the proposal would be consistent with the key objective of the PCG.

Character and appearance/visual amenity

15. The proposed hub would be positioned to one side of a wide pavement, nearest to the carriageway. There is also other street furniture along the pavement, including the aforementioned street lighting column and pole mounted traffic sign, along with a street tree. The street furniture is mostly located to the side of the pavement, nearest to the carriageway. There is also another digital display hub, centrally located on the pavement on the opposite side of the street tree (Burnt Oak side), said to be some 30 metres from the appeal site.

16. Although the proposed hub would add to the street furniture in this area, given the width of the pavement, and the spaced arrangement of nearby structures, and its proposed alignment with most other street furniture, it would appear legible and not cause unacceptable clutter of street furniture in this immediate area. Moreover, its limited scale, size and high-quality functional appearance would harmonise alongside other structures and the commercial uses at the back edge of the pavement, and it would not appear obtrusive or a dominant feature.
17. The intervening separation between the existing digital display and the proposed hub, particularly the street tree that would be situated in-between them, would adequately ensure that the cumulative effect of them together would not lead to an unacceptable intensification of such displays so close to one another. Furthermore, their combined appearance would satisfactorily assimilate into this busy urban location and not harm the character and appearance of the streetscene and the visual amenity of the area.
18. I therefore conclude that in terms of Appeal A the proposed development would relate well to the character and appearance of the area, and in regard to Appeal B there would be no harmful effects on the visual amenity of the area. Although not determinative in relation to Appeal B, the proposals would also comply with the relevant parts of LP Policy D8 and BLP Policies BD1, BT1 and DMP1 that seek to enhance local context, be of the highest architectural design quality, ensure the public realm is well-designed through the layout, scale and appearance of new development, and avoid unnecessary street clutter. Furthermore, the proposal would comply with paragraph 135 of the Framework, insofar as it seeks to ensure development adds to the overall quality of the area, is visually attractive, and sympathetic to local character.

Other Matters

19. The Council has referred to several refused planning applications and advertisement consents, and appeals that were dismissed said to be similar to these proposals. However, I have not been provided with precise details of those schemes, nor any site context details, to properly compare them to these proposals, as such I attach only limited weight to them. Whether the Council's Highway team seek to resist such proposals in principle or not, my decision has been made based on the harm identified in my findings above.
20. The appellant has said that 2 no. telephone kiosks will be removed at Holmstall Avenue, Edgware and Burnt Oak Broadway, because of these proposals. Whether that be so, those Kiosk locations are outside of the application site, and there is no mechanism before me to secure their removal if the appeal were to be allowed, therefore I attach very limited weight to this argument.
21. The submitted measures to address anti-social behaviour, noise, and lighting are noted, along with the site not being within a Conservation Area. I have been referred to several development plan policies, and other guidance and policy, including the Framework and the Council's Digital Strategy, that is supportive in principle of the proposed hub and its associated functions. However, the development plan and the Framework must be read as a whole, and complying with part of them does not mean complying with them as a whole. In this case, the arguments put forward by the appellant in support of the proposal, even when

taken collectively would not address the harm identified above in terms of highway and public safety.

22. It is acknowledged that the proposal would provide some public benefits, including free Wi-Fi, free phone calls, wayfinding, rapid connection to emergency services and public messaging capabilities, including for vulnerable persons accessing support. However, the limited scale of the proposal, means the benefits are limited. Moreover, I am not persuaded that such services could not be provided in a less obtrusive way or location.
23. I note the comments that advertisements encourage economic growth, which would be a benefit of the proposal, but limited evidence has been submitted to quantify such a benefit from this particular proposed hub. In any event such a benefit could be accrued by advertisements located nearby on the existing communication/display units. This argument does not alter the conclusions I have reached.
24. I also note the conditions suggested by the appellant, however, these could not be imposed to address the harm identified above.

Conclusion

25. Although I find the proposals to have an acceptable effect on character and appearance/visual amenity, they would be harmful to highway and public safety, and the benefits of the proposal, including the points raised by the appellant do not outweigh this harm. Therefore, for the reasons given above, and having considered relevant development plan policies and all other material considerations, I conclude that Appeal A and Appeal B should be dismissed.

A Hunter

INSPECTOR