



Appeal Decisions

Site visit made on 9 December 2025

by **D Marley BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 January 2026

Appeal A Ref: APP/T5150/W/25/3373225

High Road, outside No. 369, Wembley, London HA9 6AA

- 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 25/1679.
 - The development proposed is described on the application form as “the proposed installation of a Street Hub 3 Unit.”
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Appeal B Ref: APP/T5150/H/25/3373226

High Road, outside No. 369, Wembley, London HA9 6AA

- 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 BT Telecommunications PLC against the decision of the Council of the London Borough of Brent.
 - The application Ref is 25/1680.
 - The advertisement proposed is described in the application form as “the proposed installation of a Street Hub 3 Unit.”
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Decisions

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. The two appeals relate to the refusal of planning permission for the proposed communications hub (Appeal A) and the refusal of advertisement consent for the integrated advertisements (Appeal B). I have considered each appeal on its own individual merits, however, given the integral nature of the advertisements to the communications hub and the similarity between the reasons for refusal, it is appropriate to consider both appeals in a single decision letter.
3. In relation to Appeal B, Regulation 3(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 identifies that the power to control advertisements may be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.
4. For both appeals, there is a discrepancy between the applicant’s name as submitted in the planning application forms and the appellant’s name as submitted in the appeal forms. Clarification has been sought during the course of the appeal and the correct details used above.

5. The Council's Decision Notice for Appeal A refers to policy T1 of the Brent Local Plan 2019-2041. During the course of the appeal the Council identified this reference as erroneous and confirmed the correct policy reference as policy BT1 of the Brent Local Plan 2019-2041. Both parties have had the opportunity to comment on the correct policy reference as part of the appeal, and I am satisfied that neither party would be prejudiced by my reference to the correct policy in this decision.

Main Issues

6. The main issues with respect to Appeals A and B are:
- the effect of the proposals on highway safety/public safety; and
 - the effect of the proposals on the character and appearance/visual amenity of the area.

Reasons

Highway safety / public safety

7. The appeal site comprises part of the High Road footway, and includes an existing telephone kiosk with printed advertisements, located between Wembley Central station and Wembley Stadium. A pedestrian crossing controlled by traffic lights is in close proximity. At my site visit, whilst only representing a snapshot in time, High Road and its associated footway and pedestrian crossings were well utilised by vehicular and pedestrian traffic.
8. The proposed development would introduce a communications hub, replacing the existing telephone kiosk. The communications hub would be wider, though less deep, than the existing kiosk. The proposals would include digital advertisements on both elevations of the communications hub facing along High Road, capable of changing approximately every 10 seconds.
9. High Road is identified by the Council as an important pedestrian route between Wembley Central station and Wembley Stadium which, at peak times associated with high-capacity crowds at Wembley Stadium, may result in approximately 10,000 pedestrians per hour using the section of High Road where the proposals would be located. This rate of pedestrian flows has not been substantively challenged by the appellant.
10. The Streetscape Guidance (2022) identifies that footways should include a clear zone sufficient to accommodate peak pedestrian demand and satisfy acceptable levels of service for inclusive mobility. The proposals would leave sufficient space on the footway for two wheelchair users to pass, as set out in Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure (2021) (the 'Inclusive Mobility Guide'). However, given the need to also accommodate peak pedestrian flows, compliance with the Inclusive Mobility Guide is not, on its own, determinative.
11. The existing footway is already narrower than the width recommended for comfortable pedestrian flows of up to 2,000 pedestrians per hour in the Pedestrian Comfort Guidance for London Guidance Document. The existing telephone kiosk, together with other street furniture, already narrow the footway further. However, whilst the communications hub would occupy less ground area than the existing telephone kiosk, it would be somewhat wider and therefore would further reduce

the space available for pedestrians on the footway between nearby buildings and the road, and likely worsen pedestrian comfort.

12. In any event, the recommended footway widths presented relate to flows of up to 2,000 pedestrians per hour. No assessment has been provided for higher pedestrian volumes, such as those associated with large crowds using High Road for Wembley Stadium events. In such circumstances, it is likely that additional width would be required beyond that necessary to provide comfortable movement for up to 2,000 pedestrians per hour.
13. Given the above, there is no certainty that the further narrowing would not harm pedestrian comfort or deter use of the footway. I therefore cannot conclude that sufficient footway space would remain available following the construction of the proposals. The lack of sufficient space on the footway may make it more likely that at times of high pedestrian flow pedestrians would seek to use the road itself. Such an outcome would be likely to increase the risk of collision between vehicles and pedestrians.
14. In addition, the proposed advertisements would be located in close proximity to a pedestrian crossing, on a road subject to a high level of pedestrian footfall and vehicular traffic. Planning Practice Guidance and the Supplementary Planning Guidance Number 8 – Advertisements other than shops (2004) ('the SPG') set out that advertisements at points where drivers need to take more care are more likely to affect public safety, including advertisements proposed near pedestrian crossings.
15. Given the well-used nature of High Road by vehicles and pedestrians, drivers approaching the pedestrian crossing will be likely to need to apply a high degree of attention. Whilst the proposed advertisements would face directly towards oncoming traffic, the proposals would introduce a competing regularly changing display in close proximity to the pedestrian crossing facing High Road in both directions. Even if the colours of the advertisements could be controlled to avoid replicating traffic signals, there would remain a risk that the proposed advertisements would be distracting to road users at a moment where high concentration is required. Contrary to the requirements of the SPG, this would be likely to confuse a road user's view and increase the risk of accidents between vehicles and pedestrians. Therefore, whilst the proposed advertisements would comply with a number of the criteria set out in the Guidance for Digital Roadside Advertising and Proposed Best Practice (2013), it would conflict with existing traffic signals, to the detriment of the safe operation of the highway and the safety of road users.
16. This matter would be irrespective of conformance with the lighting guidance¹ provided by the appellant, and the proposed conditions set out by the appellant including those to prevent the display of moving or flashing images and to control luminance, display timing and certain aspects of content.
17. Taken together, the proposals – including Appeal B, insofar as the provisions of the development plan are relevant – would have an unacceptable impact on highway safety and public safety. The proposals would conflict with Policy D8 of the London Plan 2021 and Policies DMP1 and BT1 of the Brent Local Plan 2019-2041. Amongst other matters, these policies require proposals to not result in an adverse

¹ Professional Lighting Guide PLG 05/23: The brightness of illuminated advertisements including digital displays (2023)

impact on the movement network, to not affect prioritisation of active travel and to ensure the public realm is safe.

Character and appearance / visual amenity

18. The appeal site is located on a commercial street, and there are a wide variety of different shop fronts and associated signage on both sides of High Road. Alongside the existing telephone kiosk, there are a small number of items of street furniture including a lamp post, pedestrian crossing and information board located in close proximity to the appeal site. There are a number of other items of street furniture and existing digital advertisements along this section of High Road, though these are some distance from the appeal site.
19. The proposed development would result in the removal of the existing telephone kiosk. The proposed communications hub would be constructed of galvanised steel with display panels and would, alongside the associated advertisements, be located on the opposite side of the footway to the nearby existing shopfronts.
20. Given the proposed removal of the existing kiosk, the proposed development would replace street furniture on a broadly like for like basis, in approximately the same location. Whilst there are differences in width, height and footprint, the limited extent of nearby street furniture means these differences in scale would not create a noticeable visual impact on this section of High Road. The modern design and materials would also sit comfortably against the varied shop frontages and existing street furniture. Given this, I do not consider that the proposed development would materially affect perceptions of the extent of built development within the street scene.
21. The proposed advertisements would introduce additional digital advertisements along this section of High Road. However, given the distance between the appeal site and other existing digital advertisements, the proposed advertisements would appear of a separate and individual nature, and would be perceived as part of the communication hub of which they would form a part. In addition, the introduction of the additional advertisements would not appear out of place when set against the varied commercial backdrop along High Road.
22. As the proposals would be located on the opposite side of the footway to existing shopfronts, there would be a degree of separation between the proposals and shop signage. Given this separation, neither the advertisements nor the communication hub would detract from the nearby shop signage. As a result, the proposals would not be likely to result in undue distraction from the commercial shopfronts for users of High Road.
23. As a result of the above matters, the proposals would not result in unwarranted visual clutter within the street scene, nor would the proposals harm the openness or legibility of either the shop frontages or the street scene. In line with the requirements of the Brent Design Guide SPD1 (2018) the proposals would therefore not result in an adverse impact to local character.
24. Taken together, the proposals – including Appeal B, insofar as the provisions of the development plan are relevant – would not cause harm to the character and appearance or visual amenity of the area. The proposals would comply with the relevant provisions of Policies D3 and D8 of the London Plan 2021, and Policy BD1 and DMP1 of the Brent Local Plan 2019-2041, insofar as these policies require

development proposals to be of high quality and respond to local character, and result in an attractive public realm.

Other Matters

25. I acknowledge that a number of telephone kiosks in proximity to the appeal site were removed prior to the submission of the planning application. However, I have limited information before me to link this application to their prior removal. This matter therefore weighs neutrally in the overall balance.
26. The appellant has additionally referenced the series of similar communication hubs of a broadly standardised design installed or planned to be installed across the city and elsewhere. I do not however know the circumstances under which they were installed or their status with regard to planning permission or advertisement consent, and therefore cannot draw any direct comparison with the proposal that would weigh in its favour.
27. I have been provided with a copy of a previous advertisement consent for an erected internally illuminated digital screen, and my attention has been directed to other existing advertisements and street furniture along High Road. In these cases I do not have full details before me with regards available street widths in these locations and the potential effect on pedestrian flows. In addition, I observed at my site visit that the other advertisements were a greater distance from nearby pedestrian crossings when compared to the appeal proposals. I have assessed the appeals before me on their own individual circumstances and, considering the information presented, the presence of the previously consented digital screens and other items of street furniture and advertisements nearby do not overcome the harm that I have otherwise found.
28. My attention has been drawn to the relevant sections of the Council's Digital Strategy 2022-2026, the Code of Practice for Wireless Network Development in England (2022), and the London Infrastructure Delivery Plan 2050 which in broad terms seek to enhance connectivity within the Borough, improve access to digital services and the internet, and to support the delivery of high-quality wireless infrastructure. Whilst the proposals would support the aims, objectives and direction of travel contained therein, this is not sufficient to justify proposals I have found to be harmful.
29. I acknowledge that the proposals would support the expansion of digital infrastructure, and would modernise an existing piece of community infrastructure. The proposals would provide public benefits, including free communication services, USB-charging, an emergency service button, and other digital features. These benefits, enabled by the proposed advertisements, would likely be well used, and would be a social benefit. There would additionally be some economic benefits resulting from improved digital services, to which I give significant weight. Nevertheless, given the scale of development, these benefits would be limited and I have not been presented with evidence that they could not be achieved elsewhere without the harm I have identified. As a result, these matters are insufficient to outweigh that harm.

Conclusion

30. Appeal A would conflict with the development plan and there are no material considerations which indicate that a decision should be made other than in

accordance with it. Therefore, for the reasons given above, Appeal A should be dismissed.

31. For the reasons given above, and having had regard to all matters raised, I conclude that Appeal B would be harmful to public safety, therefore Appeal B should be dismissed.

D Marley

INSPECTOR