



Appeal Decisions

Site visit made on 9 January 2026

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 February 2026

Appeal A Ref: APP/U5360/H/25/3372314

Pavement outside Collins Tower, Dalston Lane, London E8 3BG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a failure to give notice within the prescribed period of a decision on an application for express consent to display an advertisement.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against the Council of the London Borough of Hackney.
 - The application Ref is 2025/1122.
 - The advertisement proposed is 2x (back-to-back) digital LED displays.
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Appeal B Ref: APP/U5360/W/25/3372312

Pavement outside Collins Tower, Dalston Lane, London E8 3BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Urban Innovation Company (UIC) Ltd against the Council of the London Borough of Hackney
 - The application Ref is 2025/1123.
 - The development proposed is installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal A Decision

1. The appeal is allowed and express consent is granted for the display of 2x (back-to-back) digital LED displays, at Pavement outside Collins Tower, Dalston Lane, London E8 3BG, in accordance with the terms of the application, Ref 2025/1122. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations.

Appeal B Decision

2. The appeal is allowed and planning permission is granted for installation of "Pulse Smart Hub" with integrated digital screens, at Pavement outside Collins Tower, Dalston Lane, London E8 3BG, in accordance with the terms of the application, Ref 2025/1123, subject to the following conditions:
 - 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 the following approved plans and documents:
 - Site Location Plan – Hack-DL/2024/01 Rev No 0
 - Proposed Site Plan – Hack-DL/2024/03 Rev No 0
 - Proposed Elevations/Technical Specification – Hack-DL/2024/04 Rev No 0
 - Design, Management & Operational Statement – 10/05/24

- 3) The footway and carriageway shall not be blocked during the installation or maintenance of the development hereby permitted. Any temporary obstruction shall be kept to a minimum, shall not obstruct traffic, and shall not encroach into the clear space required for safe pedestrian passage.
- 4) The development hereby permitted shall be maintained in a clean, safe, and tidy condition at all times, including its structural components and external surfaces.

Preliminary Matters

3. Both appeals arise from the Council's failure to determine the applications within the statutory timescales. The Council's statements of case set out putative reasons for refusal, indicating how the applications would have been determined if decisions had been issued. I have used those reasons as the basis for identifying the main issues.
4. Appeals A and B concern proposals for the installation of a pavement-mounted 'Smart Hub'; a piece of street furniture that seeks to replace traditional telephone kiosks, providing free digital connectivity, local information, and emergency equipment in the form of a defibrillator. Appeal A relates to its integrated digital advertisements and Appeal B to the structure itself.
5. The appeal site is adjacent to, but not within, the Dalston Lane (West) Conservation Area (the CA). In determining both appeals, I have had regard to the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA.

Background and Main Issues

6. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the 2007 Regulations), together with the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG), establish that advertisements may be controlled only in the interests of amenity and public safety.
7. Although Appeal A and Appeal B fall to be determined under different legislative regimes, the Council's putative reasons for refusal raise closely related considerations. Both appeals turn principally on the visual effects of the proposals, and on matters of highway and pedestrian safety falling under the umbrella of public safety.
8. In practice, the assessment of amenity for the purposes of Appeal A materially overlaps with the consideration of character and appearance in Appeal B, including the effect on the CA. Similarly, the evaluation of public safety in Appeal A closely mirrors the assessment of highway and pedestrian safety required in Appeal B. I therefore address these common matters together, while applying the specific statutory tests and policy considerations relevant to each appeal.
9. The main issues in Appeal A are:
 - whether the proposed advertisements would have an acceptable effect on the visual amenity of the area, including whether they would preserve or enhance the character or appearance of the CA; and

- whether the proposed advertisements would have an acceptable effect on public safety.

10. The main issues in Appeal B are:

- whether the proposed development would have an acceptable effect on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the CA; and
- whether the proposed development would have an acceptable effect on highway and pedestrian safety.

Reasons

Visual amenity, character and appearance

11. The appeal site lies in a busy commercial area near Dalston Junction station, where the streetscape is defined by active frontages. The adjacent CA derives its significance from the coherent pattern of historic streets and buildings of townscape merit, complemented by later contemporary development and the diverse commercial character that extends from Kingsland High Street.
12. The Council contends that the Smart Hub, with its internally illuminated digital displays, would appear intrusive, introduce visual clutter, and harm the character and appearance of the area, including the setting of the CA. It highlights the presence of little street furniture immediately around the site and considers the digital screens out of keeping with the prevailing character.
13. However, from my observations, the pavement at this point of Dalston Lane is wide, open, and easily able to accommodate the Smart Hub without significantly narrowing or crowding the streetscape. The surrounding environment is visually diverse, with frequent pedestrian movement, signage, and commercial activity. In this context, the Hub's form and massing with digitally illuminated advertising would not appear incongruous, dominant, or lead to an undesirable proliferation of advertisements.
14. The Hub's contemporary design is comparable in scale and presence to urban street furniture reasonably expected in a setting of this nature. Although its width would be perceptible when viewed head-on, it would not appear overly prominent given the generous footway, and its slender side profile would further limit visual impact. Its subtle materials and modest footprint ensure it would not compete uncharacteristically with nearby buildings or features.
15. Given that the CA encompasses commercial streets, transport infrastructure, and modern interventions, all of which contribute to a mixed urban character, the Hub would sit unobtrusively within its setting and would not detract from its visual qualities. Accordingly, the significance of the CA would be preserved.
16. For these reasons, I conclude that the proposals would not harm visual amenity for the purposes of Appeal A, and would not harm the character and appearance of the area for the purposes of Appeal B. In the case of both appeals, the significance of the CA would be preserved. Insofar as they are material considerations relevant to the appeals, the proposals would accord with Policies D3, D8 and HC1 of the London Plan, March 2021 (the LP), and Policies PP1, LP1, LP3 and LP7 of the Hackney Local Plan 2033, Strategic Planning, Adopted July 2020 (the HLP).

These policies collectively require development to create well-defined streets and spaces, to respond to local character and context, to be compatible with existing townscape, to preserve or enhance the significance of heritage assets, and to avoid a proliferation or clutter of signage. The advertisement subject to Appeal A would also accord with the relevant provisions of the 2007 Regulations.

Public, highway and pedestrian safety

17. The Council argues that the Smart Hub would obstruct pedestrian movement, impede wheelchair users and pushchairs, reduce sightlines, and risk distracting drivers due to its illuminated displays. It also raises concerns, reflected by Transport for London (TfL) comments, about impacts on the performance and safety of the TfL road network, and additionally suggests that the Hub could encourage loitering and congregation to the detriment of the public realm.
18. However, from my observations, the footway is generously wide, with ample space for pedestrian movement even at busy times. The Hub would not force pedestrians to deviate from established movement patterns, nor would it constrain access for users of mobility aids. It would be set well away from nearby junctions, and there is no substantive evidence that its siting would obstruct sightlines for vehicles, cyclists, or pedestrians.
19. The Council's concern regarding loitering is not supported by any compelling or site-specific evidence. In a lively commercial setting such as this, the presence of a single, modestly sized unit would not be expected to generate such behaviour to a harmful degree.
20. The digital screens would display static images, changing only every ten seconds, with luminance automatically moderated according to ambient conditions and reduced at night, as confirmed in the technical documentation. In an already visually active urban environment with existing signage, lighting and commercial frontages, I am not convinced that these characteristics would materially increase driver distraction or compromise road safety. The Council has provided no compelling evidence to persuade me otherwise.
21. For these reasons, I conclude that the proposals would not result in harm to public safety for the purposes of Appeal A, nor harm to highway or pedestrian safety in respect of Appeal B. Insofar as they are material considerations relevant to the appeals, the proposals would accord with Policies D8 and T2 of the LP, and Policies PP1, LP7, LP41 and LP42 of the HLP. These policies collectively require development to prioritise the movement and function of the public realm, and to provide safe streets that safeguard highway safety and promote walking and cycling. The advertisement subject to Appeal A would also accord with the relevant provisions of the 2007 Regulations.

Conditions

22. All advertisements granted express consent are subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations.
23. The PPG confirms that additional conditions can be imposed where they are supported by specific and relevant planning reasons. Both main parties have suggested conditions specific to both appeals, which I have considered against these provisions and the tests for conditions in the Framework and PPG. Where

necessary, conditions have been omitted or amended to ensure full compliance with those requirements.

24. For Appeal A, the Council's suggested conditions largely replicate those already imposed by the 2007 Regulations. As such, it is not necessary to re-impose these conditions.
25. For Appeal B, conditions relating to the statutory time limit and a list of approved plans are necessary in the interests of certainty. A condition requiring the maintenance of the Hub in good order is necessary given its prominent position in the public realm. A condition seeking to avoid temporary obstruction during installation and maintenance works is also necessary to safeguard pedestrian and highway safety. It is not necessary to impose a condition requiring compliance with parking restrictions, as those restrictions are separately regulated and enforced.

Appeal A Conclusion

26. For the reasons given, I conclude that the appeal should be allowed, and express consent granted for 2x (back-to-back) digital LED displays, subject to the conditions in my formal decision.

Appeal B Conclusion

27. For the reasons given, I conclude that the appeal should be allowed, and planning permission granted for installation of "Pulse Smart Hub" with integrated digital screens, subject to the conditions in my formal decision.

P Storey

INSPECTOR