



Appeal Decisions

Site visit made on 19 November 2025 by S Jamieson BA (Hons) MPlan MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2026

Appeal A Ref: 6000393

Pavement outside 10 Central Circus, London NW4 3JS

- 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 Urban Innovation Company (UIC) Ltd against the decision of the council of the London Borough of Barnet.
 - The application Ref is 25/1986/FUL.
 - The development proposed is installation of "Pulse Smart Hub" with integrated digital screens.
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Appeal B Ref: APP/N5090/Z/25/3369118

Pavement outside 10 Central Circus, London NW4 3JS

- 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 Urban Innovation Company (UIC) Ltd against the decision of the council of the London Borough of Barnet.
 - The application Ref is 25/1987/ADV.
 - The advertisement proposed is installation of "Pulse Smart Hub" with integrated digital screens.
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Decision

1. Appeal A and Appeal B are both dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Despite sharing the same description, Appeal A relates to the refusal of planning permission for the erection of a Pulse Smart Hub (PSH), while Appeal B concerns the refusal of express consent for digital advertisements on the same PSH. I have considered each proposal on its own individual merits. However, the PSH and digital advertisements are inextricably linked in each case. Therefore, I have dealt with the Appeals together to avoid repetition, except where otherwise indicated.
4. In respect of Appeal B, the Council has drawn my attention to relevant development plan policies. The power to control advertisements may be exercised only in the interests of amenity and public safety. Whilst the policies referred to by the Council have therefore not by themselves been decisive for Appeal B, I have taken them into account as a material consideration.

Main Issues

5. The main issues for Appeal A are:

- the effect of the proposed development on public safety, with specific regard to the movement of pedestrians and vehicles;
- whether the proposal would adequately reduce opportunities for criminal and anti-social behaviour; and
- the effect of the proposed development on the character and appearance of the area.

6. The main issues for Appeal B are:

- the effect of the proposed advertisement on public safety and the amenity of the area.

Reasons for the Recommendation

Public Safety

7. The appeal concerns a section of footpath near to a highly-trafficked junction where the A41 meets Vivian Avenue and Queens Road. The pavement widens considerably on this part of Central Circus, forming a spacious public realm, where there is an underpass entrance to Hendon Central Tube Station.
8. Due to the generous width of the footway and the PSH's siting close to the pavement edge, there would be sufficient space between the unit and the retail frontage to enable people on foot, wheelchair users, and those with visual impairments or prams for example to pass the appeal site safely and comfortably, with acceptable visibility of the pavement ahead. The PSH would also be suitably set away from the underpass entrance to ensure unhindered movement for those entering and exiting the ramp.
9. However, due to its siting towards the outer edge of the footway next to the road, the PSH would appear within the direct line of sight for drivers travelling northward along the A41, particularly those using the inside lane. The scale of the PSH unit, in combination with its large digital screens and the vibrancy of any advertisements displayed on them, would likely draw the eye of drivers away from the road. Such distraction has the potential to increase the risk of collisions between vehicles manoeuvring between the three lanes or braking in response to slowing traffic.
10. Moreover, this is at a point in the network where drivers are required to be particularly alert to vehicles entering or leaving the nearby parking and loading bays as well as the bus stop, all of which lie a short distance beyond the position of the proposals. The risk would be further exacerbated by the 40mph speed limit which could combine to further reduce a driver's ability to react promptly to unanticipated manoeuvres. The proposals would therefore give rise to an unacceptable degree of distraction, prejudicing public safety on the vehicular carriageway.
11. Conditions could be imposed to limit luminance, control frequency of image changes, and prevent moving or flashing content on the digital screens. Nevertheless, such measures would not sufficiently mitigate the inherent distraction

risk associated with a tall, wide, illuminated display in this prominent roadside location.

12. Accordingly, the proposals would have a harmful effect on the movement of vehicles, to the detriment of public safety. The proposals would therefore conflict with Policies CDH03 and CDH09 of the Barnet Local Plan (2025) (BLP) and Policies D8 and T2 of the London Plan (2021) (LP 2021) which, amongst other things, require that proposals provide a safe and secure environment and that advertisements do not have an unacceptable impact on highway safety.

Criminal and anti-social behaviour

13. The Metropolitan Police's Design Out Crime Officer has confirmed that the site is within an area of high crime, with significant levels of anti-social behaviour, violence, theft and public order offences recorded locally. This has not been disputed by the appellant. Due to its overall height, width and solid form, the PSH would create pronounced blind spots and its features, including free Wi-Fi, phone charging and wayfinding, are intended to encourage prolonged use. In the context of a high-crime location, this is likely to attract loitering and increase the risk of crime directed at PSH users or passersby.
14. Even if all the measures in the appellant's Design, Management and Operational Statement were effective in addressing concerns regarding the unrestricted call functionality, limited CCTV coverage, ambiguous emergency protocols, inadequate safeguards for Naloxone administration, and long-term management and maintenance, there would still be a residual increased risk of crime in the area associated with the other issues identified above.
15. The proposed development would therefore fail to adequately reduce opportunities for criminal and anti-social behaviour. It would therefore conflict with Policies CDH01 and CHW03 of the BLP, Policy D11 of the LP 2021 and the aims of the Framework which, amongst other things, require that proposals help to improve street safety, to promote safer streets and public areas and to reduce the fear of crime.

Character, appearance and amenity

16. There is a range of street furniture in the vicinity of the site including streetlighting, highway signage, bus stops, and an electric vehicle charging point. The area also exhibits a variety of signage including fascias, bus-stop advertisements and freestanding displays, some of which are digital. Along with the predominance of ground floor retail uses, these features give the area a distinctly commercial character.
17. The PSH would be positioned broadly in alignment with other street furniture on this side of the A41. Given the generous width of the footway and the intervening distance between the installation and the other structures on the street, the PSH and advertisements would not give rise to excessive visual clutter, nor would they appear unduly intrusive in the immediate commercial context. Moreover, the PSH's contemporary design including its dark glass and metal form, with a red trim would sit comfortably within the varied palette of colours, finishes and materials found on the neighbouring shopfronts and other freestanding displays.

18. The Council refers to 6-10 Central Circus (Nos 6-10) as locally listed buildings but has not supplied further details nor alleged any direct harm to them. From my own observations, the upper floors of these buildings display architectural qualities such as decorative brickwork and twin domed features. Given the scale of the proposals, combined with the commercial character of the street, the PSH would not erode the setting of these buildings or diminish the ability to appreciate and understand them.
19. For the reasons given, the proposals would have an acceptable effect on the character and appearance of the area and on visual amenity. As such, there would be no conflict with Policies CDH01 and CDH09 of the BLP (2025), Policy D4 of the LP2021 or the aims of the Framework insofar as they seek to ensure new development are of high architectural and urban design quality and that advertisements are sensitively designed.

Other Matters

20. I acknowledge the appellant's reference to a previous appeal (APP/N5090/W/18/3194466) for a telephone kiosk in this location, as well as case law concerning consistency in decision-making. I do not have the full details of the previous scheme before me, but it would seem the kiosk was lower in height, exhibited less solidity than the PSH and did not include digital displays. The Council has also subsequently adopted their new BLP. Therefore, there is clear and reasonable justification for reaching a different conclusion in this instance particularly in respect of the specific harm identified in respect of distraction to road users and crime and anti-social behaviour.
21. The PSH would provide a range of public benefits, including free Wi-Fi, digital mapping, emergency call facilities, charging points, integrated opioid antagonist medication, and a defibrillator. To this end, the proposal aligns with national and regional objectives to improve communications infrastructure. At a local level I do not doubt that it would accord with some aspects of the LP 2021, regarding the promotion of digital connectivity, infrastructure development, social infrastructure, and supporting the nighttime economy. I also acknowledge that the appellant is fully committed to ensuring the quality of installations including their management and adherence to guidance/regulations. However, in the context of a single installation, such benefits would not be of a magnitude that would justify the identified harm.

Conclusion and Recommendation

22. Appeal A and Appeal B would have a harmful effect on public safety, with particular regard to the movement of vehicles. Appeal A would also fail to adequately reduce opportunities for criminal and anti-social behaviour. For the reasons given above and having had regard to other matters raised, both appeals A and B should be dismissed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and my representative's report and on that basis both Appeals A and B are dismissed.

M Russell

INSPECTOR