



Appeal Decision

Site visit made on 17 December 2025

by **S Lo LLB M.SRA**

an Inspector appointed by the Secretary of State

Decision date: 16th March 2026

Appeal A Ref: 6000946

Pavement o/s Sevenoaks Train Station, London Road, Sevenoaks, TN13 1DW

- 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 Sevenoaks District Council.
 - The application Ref is 25/01068/FUL.
 - The development proposed is the proposed installation of 1no. BT Street Hub unit and removal of associated BT payphone kiosks.
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Appeal B Ref: APP/G2245/Z/25/3374181

Pavement o/s Sevenoaks Train Station, London Road, Sevenoaks, TN13 1DW

- 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 Sevenoaks District Council.
 - The application Ref is 25/01069/ADV.
 - The development proposed is the proposed installation of 1no. BT Street Hub unit and removal of associated BT payphone kiosks
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Decision

1. For Appeal A, the appeal is dismissed.
2. For Appeal B, the appeal is dismissed.

Preliminary Matters

3. There are two appeals before me. Appeal A relates to the Council's refusal of planning permission for the erection of a BT street hub, while Appeal B concerns the refusal of consent to display advertisements on the BT street hub. I have considered each on their individual merits. However, as they raise similar issues, I have combined both decisions into a single appeal decision.
4. For Appeal B, The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the National Planning Policy Framework (the Framework) and the National Planning Practice Guidance (PPG) confirm that advertisements should be subject to control only in the interests of amenity and public safety. I have taken into account the provisions of the development plan, in so far as they are material, and any other relevant factors.

Main Issue

5. The parties agree that the proposal would not be detrimental to public amenity, and I have found no reason to disagree. Accordingly, the main issue in both

appeals is the effect of the proposal on public safety, with particular regard to pedestrians and motorists.

Reasons

6. The proposal involves the installation of a BT Street Hub on a pedestrian island located directly outside Sevenoaks Railway Station. Two kiosks previously occupied this island, but these have already been removed. The island itself is relatively wide and triangular in form, and functions as a central crossing point for two pedestrian access routes that facilitate safe movement to and from the station. It also accommodates important street furniture items, which includes a “no entry” sign and traffic lights which controls the vehicles exiting the station car park onto London Road. It also forms part of the movement network for vehicles travelling to and from Sevenoaks High Street via London Road and is visible to traffic emerging from Hitchen Hatch Lane. Notably, London Road is an ‘A road’ and therefore carries significant volumes of traffic along a strategic route, where matters of safety, speed and access design are of particular importance. Consequently, the island plays a key role in managing both pedestrian flows and vehicular movements associated with the station.
7. It is agreed between the parties that the appeal site is located at a busy and complex junction. Evidence from Kent County Council (KCC), in its capacity as the local highway authority, indicates that this pedestrian island is located at a busy junction which is in close proximity to the railway station. Based on my observations during the site visit, I have no reason to disagree with KCC’s assessment. I also observed consistently high levels of vehicular traffic, with a significant number of cars contributing to the overall congestion in the area. Due to the close proximity with the railway station, I also observed significant levels of pedestrian activity, with one of the pedestrian access routes interacting closely with the traffic lights on the island that control vehicles exiting towards Sevenoaks High Street via London Road. The other pedestrian access route is not signal-controlled, meaning that pedestrians using it would need to visually navigate any traffic seeking to travel along London Road in the opposite direction from the High Street. Consequently, the island facilitates pedestrian movements that interact closely with all vehicles leaving and entering the station, which can involve high volumes of traffic. Given these conditions, KCC consider that any additional distractions for drivers and pedestrians would not be acceptable at this location.
8. The proposed structure would be installed parallel to the kerb and positioned directly adjacent to vehicular traffic exiting the railway station towards London Road. Standing approximately 3 metres tall, it would be orientated so that the wider faces of the rectangular panel (measuring roughly 1.2 metres in width) would directly face any vehicles waiting at the traffic light. Although it would occupy broadly the same location as the two former kiosks, the proposed structure would be around 0.8 metres taller. Additionally, unlike those earlier kiosks, it would not be visually permeable, as it lacks the extensive glazing that previously allowed some views through the structures.
9. Given the width and overall dimensions of the island, it is considered unlikely that the proposal would directly impede pedestrian movement to or from the surrounding pavements or affect their ability to use the island as a crossing point.

10. The proposed structure would be positioned in proximity to the carriageway and would therefore obstruct some of the visibility of any pedestrians which are in the process of using the island as a crossing point. The risk of sightline obstruction would be exacerbated by the non-permeable nature of the structure. As a result, pedestrians could be partially concealed behind the panel at critical moments, increasing the likelihood of potential collisions.
11. Although the nearby traffic signal stop line would partially mitigate the risk of collision, by requiring vehicles to halt before crossing over one of the pedestrian access points attached to the island, this would not eliminate this hazard entirely. During my site visit, I observed that the area experiences high levels of pedestrian movement associated with the railway station, and any reduction in visibility within such a busy environment would heighten existing safety risks. While I recognise that the structure would be viewed 'sideways-on' for vehicles entering the railway station carpark, thereby reducing the degree of visual obstruction from that specific direction, it would nevertheless remain a prominent feature across a wide range of viewpoints. The obstruction of key sightlines at a junction of this nature therefore poses a significant concern not only for pedestrians, but also for motorists, potentially compromising the safe operation of the local road network.
12. The loss of visibility would be compounded by the introduction of illuminated advertisements on both of the wider faces of the structure. As a result, one illuminated panel would directly face vehicles waiting to exit the railway station towards the High Street via London Road, while the other would face pedestrians using the island as well as traffic travelling along London Road. Owing to the illumination, it is also likely that waiting vehicles at the junction with Hitchen Hatch Lane would also be able to see the display. While it is acknowledged that the proposal involves static rather than moving images, the presence of illuminated advertisements in such close proximity to multiple junction points within this busy and complex road layout still has the potential to distract road users. This remains the case regardless of whether a specific brightness threshold is met. This distraction risk, when combined with the already constrained visibility at the site, would increase the likelihood of both pedestrian and vehicular conflict, thereby heightening the potential for accidents.
13. In reaching this view, I have considered that the local area is comprised of a mix of commercial and residential properties. However, the principal feature of the locality is the railway station and its associated car park. Given the relative lack of similar forms of advertising in this location, it is not considered that the visual impact of the illuminated screens would assimilate well into the visual background as to sufficiently mitigate the visual distraction of the proposed scheme. This remains the case even within the modern context of the surrounding environment and the limited separation between the panels and the road.
14. While I recognise that the design of the structure and display may align with Transport for London (TfL) guidance, the concerns outlined above lead me to conclude that the proposal would nevertheless pose an unacceptable distraction to local highway users.
15. The appellant has referred to the absence of accident data and to appeal decisions¹ at Pavement on Old Street o/s 106 St Lukes Close, London. However,

¹ Ref: APP/V5570/W/22/3309120 and APP/V5570/H/22/3309121

in that appeal the Inspector observed during their site visit that there was good visibility along that stretch of Old Street, and that similar furniture items were already located nearby in the form of Hubs and bus stop advertising panels. Accordingly, that Inspector found that the hub advertising would not exacerbate highway or public safety. In contrast, I have found that visibility at the appeal site would be significantly affected by the proposed development, such that it would exacerbate existing public-safety issues. Accordingly, the circumstances of this appeal decision are materially different, and I am not satisfied that it should alter my assessment of this appeal.

16. It is also noted that, in the St Paul's Underground Station, London appeals², the Inspector found that street hubs could deliver useful public benefits. However, in that case, despite the site being located on a major arterial road, the Inspector found no possibility of obstruction to pedestrians and concluded the advertisements were not of a size or proximity to roads that would cause a distraction to drivers. That is not the situation before me. In this appeal, the proposed development would materially obstruct visibility and increase the risk of distraction within an already constrained and busy junction. The circumstances are therefore not comparable, and those decisions do not alter my assessment.
17. In conclusion, for Appeal A, the proposal would have a harmful effect on public safety, with particular regard to pedestrians and motorists. It would not result in the creation of a safe and secure environment, contrary to Policy EN1 of the Sevenoaks Allocation and Development Management Plan 2015 (MP).
18. In conclusion, for Appeal B, the proposal would likewise have a harmful effect on public safety, with particular regard to pedestrians and motorists. I have taken into account Policy EN1 of the MP, which seeks to secure high quality design and is material to this appeal. As I have found that the proposal would harm public safety, it would conflict with this policy. As such, it would not comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Other Matters

19. The Council has raised concerns that the digital advertisement display could exceed recommended illumination levels, with the potential to adversely affect residential amenity. I acknowledge the appellant's confirmation that the displays would be fitted with automatic dimming controls to adjust brightness in response to ambient lighting conditions. They have referred to the Footpath outside Stonebow House, 8-10 The Stonebow (Supersonic Fitness), York decisions³. It is recognised that some elements of visual intrusion could be successfully mitigated by conditions. However, notwithstanding this possibility, I am not satisfied that the scheme in this case is acceptable, nor that any visual effects could be sufficiently mitigated by the use of conditions.
20. The proposed development would deliver a number of benefits. It would provide a modernised form of telecommunications infrastructure, offering free Wi-Fi with a 150-metre range, integrated 5G small-cell equipment that could reduce the need for additional standalone masts, free public calls and a USB charging facility. Socially, it would support digital inclusion, act as a community noticeboard, and

² Ref: APP/K5030/W/22/3301224 and APP/K5030/H/22/3301225

³ Ref: APP/C2741/W/22/3311620 and APP/C2741/H/22/3311629

incorporate a tablet interface providing tourist information and wayfinding services. Environmentally, the structure would occupy a location previously used for payphone kiosks and would incorporate sensors to monitor air quality, sound levels and light pollution, all powered by renewable energy. Economically, the development could create employment during installation and offer advertising opportunities for local businesses. The appellant states that, between April 2024 and February 2025, existing deployed units supported 4 million Wi-Fi sessions and 1.4 million calls, including 30,000 emergency calls, indicating a high level of public use. However, it is unclear where these units are located or how many were included in this assessment.

21. Some of these benefits are recognised in other appeal decisions. In the appeal at Union Street, Birmingham⁴, the Inspector concluded that similar kiosks serve a dual purpose, providing communication services while hosting advertising intended to fund those functions. The Inspector acknowledged that these communication services would offer some public benefit, which should be afforded weight in favour of the proposal. Nonetheless, the appeal proposal would be situated on a traffic island, making it less convenient and practical for users to access its facilities comfortably. Prolonged use of the services could also increase congestion within a high-footfall area associated with the railway station.
22. Given the scale and nature of the development, these benefits are considered to be comparatively limited and do not outweigh the identified harm in respect of the main issue or the resulting conflict with the development plan.

Conclusion

23. For Appeal A, the proposal conflicts with the development plan taken as a whole and material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons set out above, I conclude that the appeal should be dismissed.
24. For Appeal B, for the reasons given above the appeal should be dismissed.

S Lo

INSPECTOR

⁴ Ref: APP/P4605/W/18/3202341 and APP/P4605/H/18/3201305