
Appeal Decision

Site visit made on 16 October 2025 by A Morrison MTCP MRTPI

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th March 2026

Appeal Ref: APP/X5990/Z/25/3372410

Telephone Call Box outside 15-17 Long Acre, London WC2E 9PE

- 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 Nathan Still, In Focus Public Networks Ltd against the decision of City of Westminster Council.
 - The application Ref is 24/04519/ADV.
 - The advertisement proposed is described as the display of internally illuminated LCD screen in communication hub measuring 167cm x 93.5cm.
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Decision

1. The appeal is allowed and express consent is granted for the display of internally illuminated LCD screen in communication hub measuring 1065mm x 1895mm as applied for. 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 and the following additional conditions:-
 - 1) The permitted maximum luminance of the two digital display screens shall not exceed the level of 600cd/m² if the illuminated area is less than 10m², if larger its 300cd/m²; during hours of darkness and all specifications shall be in accordance with the maximum permitted recommended luminance as set out by 'The Institute of Lighting Professional's 'Professional Lighting Guide 05 (PLG05): The Brightness of Illuminated Advertisements'.
 - 2) The illumination and advertisement/displayed image shall not be intermittent or flashing, not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements), not incorporate changing light patterns, and shall show two dimensional images only. (Please note the illumination of the proposed Hubs will need to adhere to limits of luminance, illuminance and intensity as advised in PLG05 [see Section 5 of Limiting the luminance of illuminated advertisements], and Guidance Note 01: The Reduction of Obtrusive Light).
 - 3) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.
 - 4) There shall be no audio associated with the advertisements.
 - 5) Messages relating to the same product shall not be sequenced.
 - 6) The advertisements displayed on each panel shall not change more frequently than once every 15 seconds and the interval between each piece of content on

the digital display screens shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays and the display will include a mechanism to freeze the image in the event of a malfunction.

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. The Council has used a different description of the site address to that on the original application form, and the appellant has adopted this modified address on the appeal form. I am satisfied that both versions describe the same location and regard the Council's description as more accurate, and have therefore incorporated it within this decision.
4. The Council has separately granted planning permission for the installation of a communication hub in replacement of an existing public call kiosk¹. It is within this hub that the proposed internally illuminated LCD screen would be displayed.
5. The description of the proposal as entered on the combined original application form for planning permission and advertisement consent dealt with the communication hub development but not the proposed LCD screen. In refusing the advertisement consent element, the Council composed a description which in turn has been entered on part E of the appeal form. However, it is clear that based on the evidence assessed by the Council in reaching their decision that this description contains incorrect dimensions. The amended description above incorporates the dimensions which accurately reflect the measurements of the screen as are shown on the determined submitted plans and documents.
6. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations shall be exercised in the interests of amenity and public safety. Neither the Council nor any other party has raised any objection to the proposed advertisement from a public safety perspective, and I see no reason to take a different view in this regard.

Main Issue

7. The main issue is the effect of the proposed advertisement on the amenity of the area, including the setting of the nearby Covent Garden Conservation Area (the CA).

Reasons for the Recommendation

8. The Planning Practice Guidance sets out that in practice 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and the local characteristics of the neighbourhood should always be considered. The National Planning Policy Framework (the Framework) sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

¹ Council's reference: 24/04518/FULL

9. The appeal site is situated adjacent to the carriageway on the south side of Long Acre and is currently a partly enclosed modern kiosk structure, with an internally illuminated 6-sheet advertisement poster display within its west elevation. I understand from the parties' evidence that this kiosk has been in situ since 2012 and that in 2015, an appeal was allowed for the illumination of its existing poster advertisement².
10. The kiosk is positioned in front of a modern commercial building that falls within a short section of Long Acre that is excluded from the CA. During my site visit I observed that its existing advertisement is visible in extended views along the road where the CA is both in the foreground and background. The surrounding streetscape is of a commercial character, with heavily glazed shopfronts and differing illuminated signage commonplace at ground level. There are instances of window displays featuring illuminated advertisements, including within the closest store which provides a partial backdrop to the existing poster display. The kiosk itself forms part of an array of street furniture within the locality, including lighting columns, a traditional call box, cycle stands, litter bins and map upstands. The combination of these features allows for the existing advertisement to be comfortably assimilated into the street scene as includes the CA.
11. The proposed internally illuminated LCD screen would be slightly taller but narrower than the existing internally illuminated display it would replace, with its placement and orientation unchanged. It would therefore be visible from the same viewpoints and under the same conditions as the current poster. Accordingly, it would continue to sit within a well-lit, animated commercial streetscape containing a range of advertisements and structures, thereby integrating into the locality without detriment to amenity.
12. I acknowledge the Council's concern that the changing nature of the content as enabled by the screen would make the advertisement more assertive than the existing fixed display. The reason for refusal also refers to a potential for moving images, yet it is clear that this is not proposed. Given the scope to impose widely accepted necessary restrictions over maximum luminance, the types of images to be displayed, the refresh rate between messages and the method of transition, I am satisfied that with suitable controls, the proposal would not appear obtrusive within its neighbourhood.
13. Consequently, the proposed illuminated LCD screen would not adversely affect the amenity of the area, including the setting of the nearby Covent Garden Conservation Area. Powers under the Regulations require decisions to be made only in the interest of amenity and public safety, taking account of any material factors. I have therefore considered the requirements of the Framework and Policies 38, 39, 40 and 43 of the City of Westminster City Plan 2019-2040 insofar as they are relevant. I find that the proposal would comply with these policies, which together require advertisements to make a positive contribution to amenity by being sensitively designed in terms of their size, location and degree of illumination and their impact on local context, street scene and wider townscape, including Westminster's historic environment. The proposal's conformity with these policies is however not a determining factor in this appeal, which I have considered in line with the Regulations.

² PINS reference: APP/X5990/H/14/2225899

Conditions

14. The Council has suggested additional conditions beyond the five standard conditions set out in the Regulations concerning the advertisement's luminance and the nature of the display, included in which is a prohibition on moving images. The appellant's Grounds of Appeal includes examples of recent consents issued by the Council for the same type of advertisement in which these conditions, together with further conditions, have been imposed.
15. I agree that conditions relating to levels of luminance, the types of images not to be shown and the sequencing, frequency of change and means of transitioning of the display are necessary in the interests of amenity and public safety and have therefore imposed conditions to this effect.

Conclusion and Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed.

Martin Seaton

INSPECTOR