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## Appeal Decisions

Site visit made on 19 March 2026

by **A James BSc (Hons) MA MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24<sup>th</sup> March 2026

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### **Appeal A: APP/W1905/W/25/3372936**

#### **Footpath outside 6 Manor Croft Parade, Chestnut, Waltham Cross EN8 9LP**

- 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 Verity Cheyne of BT Group PLC against the decision of Broxbourne Borough Council.
  - The application reference is 07/25/0504/F.
  - The development proposed is installation of 1 no. BT Street Hub unit and associated advertisement panels on either side of the unit.
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### **Appeal B: APP/W1905/H/25/3372938**

#### **Footpath outside 6 Manor Croft Parade, Chestnut, Waltham Cross EN8 9LP**

- 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 Verity Cheyne of BT Group PLC against the decision of Broxbourne Borough Council.
  - The application reference is 07/25/0505/AC.
  - The advertisement proposed is installation of 1 no. BT Street Hub unit and associated advertisement panels on either side of the unit.
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## **Decisions**

1. Appeal A is allowed and planning permission is granted for installation of 1 no. BT Street Hub unit and associated advertisement panels on either side of the unit at Footpath outside 6 Manor Croft Parade, Chestnut, Waltham Cross EN8 9LP in accordance with the terms of the application, Ref 07/25/0504/F, and subject to the conditions in the attached schedule.
2. Appeal B is allowed and express consent is granted for installation of 1 no. BT Street Hub unit and associated advertisement panels on either side of the unit in accordance with the terms of the application, Ref 07/25/0505/AC. 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 set out in the attached schedule.

## **Preliminary Matters**

3. I have taken the address of the appeal site from the appeal forms and decision notices because it more accurately represents the location of the proposal.
4. As set out above, there are two appeals on this site. Appeal A relates to planning permission and Appeal B to express advertisement consent. I have considered

each on its individual merit. However, as they raise similar issues, I have dealt with the two schemes together, except where otherwise indicated, to avoid duplication.

5. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken account of the policies that the Council considers to be relevant, these have not been decisive in my determination of this appeal.
6. The Council's reason for refusal relates to public safety only and therefore amenity is not a main issue for this appeal.

### **Main Issue**

7. The main issue is the effect of the proposed advertisements on public safety.

### **Reasons**

8. The proposal would be sited on a pavement a short distance away from an exit to a roundabout. The area is predominantly characterised by retail and commercial units on the ground floor. There was a moderate level of pedestrian and vehicular activity in the area at the time of my site visit. The appeal proposal would be sited adjacent to a bus stop, which features an illuminated, digital advertisement within it. The proposal would also be sited close to two disabled parking spaces and would be a short distance away from a pedestrian crossing.
9. Although the proposal would be sited close to the highway and would be visible by road users and pedestrians, it would be located further away from the roundabout than the existing digital advertisement that is sited within the bus stop. The advertisement within the bus stop is visible to oncoming traffic and I am advised by the appellant that it has been in place for some time. There is no substantive evidence before me that the existing advertisement has resulted in an increase in accidents in the immediate locality. There is also no compelling evidence before me that the proposal would result in a greater level of distraction to road users or pedestrians when compared to the existing advertisement.
10. While the proposal would result in additional street furniture within the public realm, ample space would remain on the pavement for pedestrians. The local highway authority has confirmed that adequate footway widths would be maintained and visibility for both vehicles and pedestrians would not be compromised. The highway authority raises no objections to the proposal in respect to highway or public safety and based on the evidence before me and my site visit, I find no reason to reach a contrary conclusion.
11. Given the above, I conclude that the proposal would not be harmful to highway or public safety and would accord with Policies DSC9 and TM2 of The Broxbourne Local Plan, June 2020. These policies among other things require that proposals do not have a severe impact on the transport network and ensure that the safety of all movement corridor users is not compromised and that advertisements are not harmful to highway safety.

### **Other Matters**

12. While the Council raises no objection to the proposal in respect to amenity, they consider that the removal of the existing telephone boxes would help to declutter

the footpaths. I find no reason to reach a contrary conclusion to the Council on this matter and address this matter by condition.

### **Conditions**

13. The Council and the appellant have provided some suggested conditions for both appeals which I have considered against paragraph 57 of the National Planning Policy Framework, and the advice contained in the Planning Practice Guidance. I have edited the suggested conditions to improve precision and enforceability where necessary.
14. Appeal A: In the interests of certainty, conditions specifying the timescale for implementing the development and the approved plans are necessary. A condition requiring the removal of the existing BT payphones on the opposite side of the highway within three months of the commencement of development has been attached to ensure there would be no excess street clutter in the area. In the interests of living conditions of nearby residents, conditions ensuring that the proposal complies with the appellant's noise management plan and anti-social behaviour management plan are also required. Given the nature and siting of the proposal, I do not find that a condition relating to contaminated land is necessary.
15. With regard to Appeal B, the five standard conditions are set out at Schedule 2 of the Regulations. These standard conditions are not repeated in this decision. In the interests of public safety, I have imposed conditions relating to the level of illumination, no moving images, minimum display time for each image and transition between images and that any advertisement does not resemble a traffic sign.

### **Conclusion**

16. Appeal A: The proposed development would comply with the development plan as a whole and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons given above, I conclude that Appeal A should be allowed.
17. Appeal B: For the reasons given above, I conclude that Appeal B should be allowed.

*A James*

INSPECTOR

## **Schedule of Conditions**

### **Appeal A:**

- 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 drawing nos CHS-001/A: Proposed Site Plan; CHS-001/A: Proposed Site Elevation; and, STH-001: Street Hub Dimensioned Elevations
- 3) The development hereby approved shall be installed and maintained at all times thereafter in accordance with the details specified within the documents titled Street Hub Anti-Social Behaviour Management Plan (Version 3) and Street Hub Noise Management Plan (Version 2).
- 4) Within 3 months of the commencement of the development hereby permitted, the existing telephone call boxes (TCBs) on the opposite side of the road (as annotated on drawing number CHS-001: Existing Site Plan) shall be removed in their entirety and the land made good to the same condition as the adjacent land.

### **Appeal B:**

- 1) The luminance of the signage shall comply with the requirements of the Institute of Lighting Professionals guide PLG05 'The Brightness of Illuminated Advertisements Including Digital Displays'.
- 2) The digital display screens shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).
- 3) The minimum display time for each piece of content on the digital display screens shall be 10 seconds.
- 4) 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.
- 5) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.