



Appeal Decisions

Site visit made on 26 March 2026

by **J Heppell BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 April 2026

Appeal A Ref: APP/G5180/W/25/3376376

Outside no 309 High Street, Orpington, London, BR6 0NN

- 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 Mr Simon Warner on behalf of BT Telecommunications PLC against the decision of the Council of the London Borough of Bromley.
 - The application Ref is 25/00912/FULL1.
 - The development proposed is the proposed removal of an existing InLink unit, and the deployment of a replacement Street Hub 3 unit.
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Appeal B Ref: APP/G5180/Z/25/3376001

Outside no 309 High Street, Orpington, London, BR6 0NN

- 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 Mr Simon Warner on behalf of BT Telecommunications PLC against the decision of the Council of the London Borough of Bromley.
 - The application Ref is 25/00913/ADV.
 - The development proposed is the proposed removal of an existing InLink unit, and the deployment of a replacement Street Hub 3 unit.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals relate to the same site and to each other. Although only an advertisement application form was originally submitted, the appellant's submission made it clear that both planning permission and express consent were sought, and the Council issued two decision notices. I have therefore considered each appeal on its individual merits, but as they are intrinsically linked and raise similar issues, I have combined these cases in a single decision letter.
4. In accordance with the Regulations for the control of advertisements, I have limited my consideration of Appeal B to matters of public safety and have had regard to the development plan only insofar as it is relevant to my consideration of those matters. There was no objection raised on the grounds of amenity, and I find no reason to take a different view on that matter.
5. The Council's reason for refusal referred to paragraph 111 of the National Planning Policy Framework (the Framework). However, in the current iteration of the Framework (2024), it is paragraph 116 which relates to highway safety. I have therefore assessed the proposal in relation to paragraph 116.

Main Issue

6. The main issue for Appeal A is the effect of the proposal on highway safety having particular regard to its location near an existing directional highway sign.
7. The main issue for Appeal B is the effect of the advertisement on public safety.

Reasons

8. The proposal would be located on the pavement near the junction of High Street with the A232, where High Street is a two way road with a 20mph speed limit. The site currently accommodates a hub unit with an electronic advertisement on both sides. Near the hub is a directional highway sign advising drivers about the approaching roundabout junction. The proposed replacement hub unit would be taller and wider than the existing hub, with larger advertisements on both sides.
9. Planning Practice Guidance (PPG) sets out the considerations affecting public safety for advertisements. It advises that whilst all advertisements are intended to attract attention, proposed advertisements at points where drivers need to take more care, such as at roundabouts, are more likely to affect public safety. It identifies that the main types of advertisement which may cause danger to road users includes those which, because of their size or siting, would reduce the clarity or effectiveness of a traffic sign¹.
10. The proposed hub, like the existing hub, would be located in front of a directional highway sign for drivers. Although traffic speeds are low given the 20mph speed limit, drivers have to make a choice between three exits from the roundabout, plus being aware of a zebra crossing ahead of the roundabout. It is necessary, therefore, that drivers have early, clear information to inform their decision-making, given this is the only directional highway sign on the approach to the roundabout.
11. At present the trunks and branches of streets trees partially obscure the sign, with the extent of the obstruction varying seasonally, and a lamp post and pole-mounted sign also obscure the sign. As drivers approach the sign, the hub initially blocks the bottom right section of the sign and, as the driver's perspective changes, the hub moves in relation to the directional sign so that it eventually blocks a substantial portion of the bottom left side of the sign. Drivers cannot see the whole sign until they are past the hub, at which point they have only a brief period of time to assimilate the information on the sign and react, before moving beyond it, with a street tree again partially obscuring the sign.
12. The proposed hub would be marginally higher than the existing hub and somewhat wider, and its advertisement panel would be substantially larger than the current panel, albeit with the same level of illumination. Although the directional highway sign is already partially obscured by the existing hub, the increased dimensions of the proposal would obscure more of the bottom section of the sign, whilst the larger advertisement would have potentially draw the eye of drivers more than the current advertisement. The result would be a further reduction in the clarity and effectiveness of the directional sign, making it more difficult for drivers to make timely decisions ahead of the zebra crossing and roundabout, with a resultant adverse effect on public safety.

¹ PPG paragraphs 067 and 068, reference ID: 18b-067-20140306 and ID: 18b-068-20140306

13. It has been brought to my attention that the current hub replaced an earlier payphone which was of comparable width to the proposed hub. However, to judge from the image supplied, the payphone was noticeably lower than the current hub and may have obscured only a very small part of the directional sign. The width of the previous payphone is therefore of only limited relevance to the current proposal.
14. The street trees appear to have been planted between 2008 and 2012, predating the current hub which was installed around 2018. Whilst improving the attractiveness of the street, they have not aided the visibility of the directional sign. However, trees can be cut back should they obscure visibility, whereas a hub is a permanent fixture. It has not been indicated on what basis the current hub was deemed acceptable, given that it partly obscures the directional sign, but the granting of that consent does not alter my conclusion that the proposed hub would worsen public safety.
15. I therefore conclude that the proposal would adversely affect highway safety as a result of its location near an existing directional highway sign, and the resultant increased obstruction of that sign. Consequently, although not determinative in relation to Appeal B, the proposal would conflict with policies 32 and 102 of the London Borough of Bromley Local Plan January 2019. Together these policies require advertisements not to create a hazard to road users, and for the potential impact of any development on road safety to be considered, to ensure that road safety is not significantly adversely affected as a result. The proposal would conflict with the Framework, which guides that development should only be refused if there would be an unacceptable impact on highway safety.

Planning Balance

16. The Framework, along with the National Infrastructure Strategy, confirms that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being, and that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology such as 5G. The Code of Practice for Wireless Network Development in England March 2022 supports the Government's objective of delivering high-quality wireless infrastructure, and emphasises that fast, reliable digital connectivity can deliver economic, social and well-being benefits. Policy SI 6 of the London Plan March 2021, alongside the London Infrastructure Plan 2050: A Consultation and Upgrading London's Infrastructure – Delivery Plan, recognises the strategic importance of providing modern communications networks, and aims for London to be a world-leading tech hub with world-class digital connectivity. All of these policy aims offer support for the proposal.
17. The appellant has highlighted that digital connectivity is an essential element of modern life, with the majority of the population now owning a smart phone, and that the proposal would provide a next generation hub which would future-proof the high street by making it smarter, safer and more sustainable. Small cell mobile connectivity would be enhanced, and the addition of 5G capability would be in line with government guidance. The hub would have improved features and capabilities, including insight counting and environmental sensors, with data from the latter being supplied free in support of air quality objectives to assist in managing patterns of growth. The appellant advises that numerous planning permissions have been granted around the country for similar hubs.

18. The proposal would replicate the services provided by the existing hub, which include 1Gbps free public Wi-Fi to allow people to get online and reduce digital exclusion, free UK calls and USB charging, and an emergency services button. I am advised that in 2024/25, BT's hubs allowed 3.9 million people to connect to Wi-Fi, and for 1.6 million calls to be made. 5% of monthly screen time, which equates to around 875 hours a year, would be ring-fenced and provided free to the Local Authority, allowing specific messaging on health (eg during the pandemic), road closures, and transport delays etc.
19. However, many of these public benefits already exist in connection with the current hub and, whilst recognising that it is coming to the end of its operational life, the proposal offers only some new benefits in addition to those already provided. Moreover, it has not been explained whether the proposed hub could provide these benefits in a location which would not further obscure the directional sign. Overall, the benefits offered by the hub are insufficient to outweigh the harm I have identified.

Conclusion

20. Appeal A would conflict with the development plan taken as a whole and there are no other material considerations to suggest that the decision should be made other than in accordance with it. Appeal B would harm public safety. Therefore, for the reasons given above, both appeals should be dismissed.

J Heppell

INSPECTOR