



Appeal Decisions

Site visit made on 6 May 2026

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 02 June 2026

Appeal A Ref: 6002428

Kings Road, outside No. 395, London SW10 0LR

- 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 Ms Verity Cheyne, BT Telecommunications PLC against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref is PP/25/04833.
 - The development proposed is described as 'The proposed removal of an existing telephone kiosk, and the deployment of a replacement Street Hub 3 unit.'
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Appeal B Ref: APP/K5600/Z/25/3376699

Kings Road, outside No. 395, London SW10 0LR

- 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 Ms Verity Cheyne, BT Telecommunications PLC against the decision of Royal Borough of Kensington and Chelsea.
 - The application Ref is CA/25/04834.
 - The advertisement proposed is described as 'The proposed removal of an existing telephone kiosk, and the deployment of a replacement Street Hub 3 Unit'.
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Decision

Appeal A and Appeal B

1. The appeals are dismissed.

Preliminary Matters

2. In my heading above, I have taken the description of development from the original application form used for both proposals. Appeal A seeks planning permission for the installation of a Street Hub Unit with digital display panels, mounted on the pavement. Appeal B seeks advertisement consent for the display of two illuminated digital display screens within the apparatus. The two appeals are intrinsically linked, and I have considered them together to avoid unnecessary duplication.
3. In respect of appeal B, the Regulations and National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. Regard does not need to be had to the development plan. Therefore, while I have taken relevant policies into account as a material consideration, they have not been determinative.

4. The appeal site is within the setting of a Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

Main Issues

5. The main issue with respect to Appeal A is the effect of the proposed development on the character and appearance of the area, including Sloane/Stanley Conservation Area.
6. The main issue with respect to Appeal B is the effect of the proposed advertisement on the amenity of the area.

Reasons

7. The appeal site is the pavement outside of a three storey terrace building which has the appearance of simple, mid-20th century construction, including its ground floor commercial shopfronts. There is a mix of shopfront fascia styles, and some projecting signage. Some of the signage is internally illuminated, others are non-illuminated, but all are of modest proportions. Opposite the site is the Sloane/Stanley Conservation Area (CA). This part of the CA is significant for its harmonious terrace rows, of architectural, historic and group interest. Shopfronts at ground floor are varied in style, most appear to incorporate traditional features, and the internal illumination of signage is limited.
8. There is a clear contrast between the form, scale and appearance of the modern buildings on the southern side of King's Road and the historic terraces within the Conservation Area. Notwithstanding this, the street scene retains an overall sense of cohesion. This is largely attributable to the relatively uncluttered carriageway, the presence of street trees, and the limited amount of street furniture, none of which is illuminated in this location. Bus shelters are further away from the appeal site and do not directly form part of the site's context. The appellant refers me to an image of the site, which shows the street to be heavily cluttered with street furniture, circa October 2025¹. However, I saw during my site visit that all of the bulkier items have been removed leaving the area free of heavy clutter. The appeal site and its context, therefore, has a neutral effect on the setting of the CA.
9. The proposal would comprise a tall, freestanding structure, in place of the heritage style kiosk, and as such there would be no net increase in street furniture. Its frame would have a contemporary appearance and would be muted in colour. However, unlike the heritage kiosk, a considerable portion of the proposal's two wider faces would be digitally illuminated, and would feature sequential, albeit static images. Standalone displays, of a similar size with digital illumination, are not found in the locality. Nor are there examples of shopfront advertisements with similar characteristics. Thus the proposal would be discordant with the prevailing features of the locality.
10. The two digital display faces would be perpendicular to the buildings within the CA and separated from them by the road. However, the displays would be readily apparent in longer views of the CA, particularly views of the nearby historic shopfronts and terraces, due to the street's uncluttered appearance. They would

¹ Figure 4, Appeal Statement

also be sited directly within views from the west, of the historic buildings further north within the CA, where King's Road curves gently around the corner. Its incongruous appearance with its changing displays, and its siting within these views would jar with the harmonious appearance of these traditional buildings.

11. The proposal would therefore be a harmfully discordant feature within the street scene. Regardless that luminance, timing and image displays can be controlled by way of planning conditions, it would harmfully erode the setting and therefore the significance of the CA and would fail to preserve or enhance its appearance. In light of the relatively modest scale of the proposal, the harm to the significance of the designated heritage asset would be less than substantial at the lower end of the scale. Nonetheless, considerable importance and weight is given to the harm to the setting of the designated heritage asset.
12. I am told there would be an overall reduction in street furniture across the borough as a result of the wider upgrade and replacement project. However, I am not aware that any are within the appeal site's street scene context, so any associated improvements would be too remote to address the identified harm to the designated heritage asset.
13. The appellant refers to two sets of linked appeals in which the Inspector allowed Street Hub 3 units within Conservation Areas². However, these were in place of InLink Units, which themselves feature digital illuminated displays. Moreover, the Inspector found the local context to feature additional digital displays. This is somewhat different to the appeal site context, and the appeals are therefore not directly comparable. Moreover, whilst I note that the Council has approved several Street Hub 3 Units across the borough, there is nothing before me to indicate that any of those sitings are directly comparable to the appeal site's context.
14. In respect of Appeal A, paragraph 215 of the National Planning Policy Framework (the Framework) states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Policies CD3 and CD4 of the Local Plan, also require such a balance.
15. The proposal would contribute towards the provision of modern communications infrastructure for the public. This is supported by paragraph 119 of the Framework, and various national strategies and policies³, including Policy SI6 of the London Plan⁴. It would provide free phone calls, wi-fi services, for which there is a demand. The unit would also be powered by renewable energy, would provide charging facilities and emergency service contact facilities. These are clear public benefits, albeit modest in scope due to the small scale of the proposal. I am also mindful that revenue from the digital displays would fund the free services.
16. The appellant states that the advertisement panels could be used to display public information messaging, and I am told that 5% free screen time, would be available to the Council as well as discounted rates for local businesses. It has also been put to me that the proposal would be designed to accommodate monitoring sensors, such as for air quality and traffic, and small cell mobile infill. However, I am not persuaded that these specific matters could be reasonably required by planning

² APP/K5600/W/25/3372034 & APP/K5600/W/25/3372037; APP/K5600/W/25/3371814 & APP/K5600/W/25/3371816.

³ Code of Practice for Wireless Network Development in England; London Infrastructure Delivery Plan 2050

⁴ The London Plan, The spatial development strategy for Greater London, March 2021.

condition, and there is no other mechanism before me to secure these benefits. I therefore attribute limited weight to these matters.

17. Taking these factors together, the modest public benefits of the proposal, would not outweigh the harm I have identified, taking account of the great weight attached to the conservation of heritage assets.
18. Accordingly, in respect of appeal A, I find that the proposal would result in unacceptable harm to the character and appearance of the area, and would harm the significance of the CA. Therefore, it would conflict with the relevant provisions of policies CD1, CD2, CD3, CD4, CD15 and TR4 of the Local Plan. These primarily seek high quality development that respects context, seeks the protection of heritage assets, and avoids clutter including freestanding structures such as telephone kiosks where the function for the display of adverts dominates the primary purpose of the structure. The proposal would also conflict with the relevant provisions of the Framework.
19. In respect of appeal B, I have taken account of the provisions of the development plan, insofar as they are material in respect of amenity. In this case, the aforementioned policies. I find that the proposal would result in unacceptable harm to the amenity of the area. I also find that the advertisements would fail to satisfy the requirements of paragraph 141 of the Framework, which seeks control of advertisements to ensure the quality and character of places does not suffer.
20. The appellant asserts that as the proposal would improve connectivity via wi-fi and telephone services the proposal would accord with Policy CD1. However, the policy emphasises that proposals must respect context, including historic characteristics. My decision explains why the development would conflict with those provisions.

Other Matters

21. There are no public safety issues with the proposal, pertaining to use of the footway, and highway safety. There would also be noise limiting measures, anti-social behaviour safeguards, and regular cleaning and inspection. These are neutral points, which do not mitigate the visual harm I have identified.
22. I am told there will be 19 units in the borough by mid-2026. There is no compelling evidence of a link between these units and the appeal scheme. For example, an essential network connection. Accordingly this has no bearing on my decision.

Conclusion

23. With regard to Appeal A, the proposal would conflict with the development plan when read as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. With regard to Appeal B, the advertisements would cause harm to the amenity of the area. Accordingly, I conclude that both Appeal A and Appeal B should be dismissed.

E Heron

INSPECTOR