



Appeal Decision

Site visit made on 18 May 2026

by **S Ramsden BSc (Hons) MA MA IHBC**

an Inspector appointed by the Secretary of State

Decision date: 8 June 2026

Appeal A Ref: 6006328

Outside Bestway Cash and Carry, Edgware Road , London NW2 6LJ

- 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 Telecommunications PLC, against the decision of the Council of the London Borough of Barnet.
 - The application reference is 25/3966/FUL.
 - The development proposed is the deployment of a Street Hub 3 unit.
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Appeal B Ref: APP/N5090/Z/26/3378185

Outside Bestway Cash and Carry, Edgware Road , London NW2 6LJ

- 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 Verity Cheyne, of BT Telecommunications PLC, against the decision of the Council of the London Borough of Barnet.
 - The application reference is 25/3967/ADV.
 - The development proposed is the deployment of a Street Hub 3 unit.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for the proposed deployment of a Street Hub 3 unit at Outside Bestway Cash and Carry, Edgware Road, London NW2 6LJ, in accordance with the terms of the application, Ref 25/3966/FUL, subject to the conditions in the attached schedule.

Appeal B

2. The appeal is allowed, and express consent is granted for the deployment of a Street Hub 3 unit at Outside Bestway Cash and Carry, Edgware Road, London NW2 6LJ, in accordance with the terms of the application, Ref 25/3967/ADV. 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 Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Advertisement Regulations), and subject to the conditions in the attached schedule at the end of this decision.

Preliminary Matters

3. The site address is taken from the decision notice, as it is more accurate than that given on the application forms, which had the wrong postcode.
4. As set out above, there are two appeals on the site. Appeal A relates to an appeal under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission. Appeal B relates to an appeal

under section 17 of the Advertisement Regulations against a refusal to grant express consent. I have considered each on its individual merits, but I have combined these cases into a single decision letter as they are intrinsically linked and raise the same issues.

5. In respect of Appeal B, the Advertisement Regulations require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken account of the policies the Council refers to insofar as they may be relevant, these have not been decisive in my determination of this appeal.

Main Issues

6. The main issues in both appeals are:
 - the effect of the proposed development on amenity and the character and appearance of the area; and,
 - the effect of the proposed development on public safety.

Reasons

Amenity/Character and appearance

7. The appeal site is located on the public footway on the busy Edgware Road/A5, alongside the blank flank wall of the Bestway Cash and Carry. The footway to this side of the road is relatively wide, containing street lights and bollards but little other street furniture. The surrounding sites are generally commercial or light industrial in nature, including large retail units with associated car parks.
8. On the opposite side of the A5 to the appeal site is a bus shelter, with integrated advertisement panels, and a petrol station, with illuminated signage, including a canopy fascia and totem. Most of the commercial units have some sort of signage, and there are a number of advertising hoardings and street hubs/totems in the wider area. The general character of the area is defined by the busy and heavily trafficked A5, associated street and traffic lights, and the surrounding commercial properties with interspersed advertisements and signage.
9. The proposed Hub would be approximately 1.2m wide, 3m high and have a depth of around 0.35m. It would provide free public wi-fi, USB charging, wayfinding assistance, an emergency services button, a range of other digital services particular to the vicinity, along with internally illuminated digital advertising.
10. Although the proposed Hub would add to the street furniture in this area, given the width of the pavement, it would not unduly impact on, or harm, the spacious layout of the footway. It would be viewed as a discrete element on this section of the pavement to the east side of the road, but would be seen within the wider context of nearby street furniture.
11. Whilst the Hub would be visible in views along Edgware Road from both directions it would be seen in the context of advertisements on the bus shelter and petrol station opposite, and those in the wider environs. Whilst existing advertisements do not, in themselves, justify additional advertisements, given the general commercial character of the area the proposed development would not appear incongruous, visually obtrusive, or excessive.

12. The scale of the proposed Hub would be comparable to the advertisements on the bus shelter opposite, and with similar installations to either side of Edgware Road, both to the north and south of the appeal site.
13. For these reasons, I conclude that the proposed development would not harm amenity and the character and appearance of the area. I therefore find no conflict with Policies CDH01, CDH03 and CDH09 of the Barnet Local Plan (the Local Plan) (2025). Taken together these seek to deliver development which is responsive to local context and advertisements which do not cause unacceptable harm and are sensitively designed and located within the street-scene and wider townscape.
14. Similarly I find no conflict with Policy D3 of the London Plan (2021) which seeks to deliver development that responds to the existing character of an area. Neither do I find the proposals to be contrary to the aims of the National Planning Policy Framework (the Framework) (2024).
15. In its appeal statement, the Council contend that the proposed development is contrary to advice in its Design Guidance Note 1: Advertising and Signs (1993). That document is not cited in the reasons for refusal, although its stated aims appear to be consistent with the policies that are cited. For the reasons set out above, I find that the proposed development would not be contrary to the parts of the Guidance Note referred to in the Council's statement.

Public safety

16. Policy CDH01 of the Local Plan states that development proposals should create safe and secure environments, reduce opportunities for crime, and minimise the fear of crime.
17. The Council has raised no concerns regarding impacts on highway safety and I see no reason to disagree. However, due to its location the proposed development has the potential to cause risks for passing pedestrians, through obstruction of sightlines, and to attract anti-social behaviour, such as fly tipping.
18. The appeal site is not subject to a high degree of natural surveillance from surrounding properties. However, given Edgware Road is straight at this point and the lack of visual obstructions in the vicinity, the appeal site is visible in both long and close views from both directions. A degree of surveillance, and lighting at night, would be provided by the volume of passing traffic, which would be a deterrent to anti-social behaviour to some extent. There would also be a degree of surveillance of the appeal site from the petrol station diagonally opposite and intermittent surveillance from users of the bus stop on the other side of the road.
19. Due to the predominantly commercial and light industrial nature of the surrounding development, allied with the relatively inhospitable nature of the footway for pedestrians due to the busy A5, the footway is unlikely to be heavily used by pedestrians, particularly outside business hours and during hours of darkness. Given this, and the overall visibility of the site from the surroundings, risks to pedestrians from people concealed behind the Hub, due to obstruction of sightlines, are likely to be minimal.
20. Evidence has been submitted of the crime statistics in the Cricklewood Ward, in which the appeal site is located, although no evidence has been provided regarding anti-social behaviour in the environs of the appeal site. At my site visit I

did not observe that similar facilities in the area had been subject to vandalism, graffiti, or other anti-social activity. Whilst I recognise that this represents a snapshot in time, there is nothing to suggest that the proposed Hub would be likely to attract such activity to any greater or lesser extent than similar installations in the area; or that it would contribute to miscreant behaviour or increase crime and poor conduct.

21. For these reasons, I conclude that the proposed development would not be harmful to public safety. It would not, therefore, conflict with Policies CDH01, CDH03 and CDH09 of the Local Plan, or Policy D3 of the London Plan, which taken together seek to deliver safe and secure environments.

Other Matters

22. My attention has been drawn to three appeal decisions for BT Hubs in the Borough which were dismissed. I have not been provided with full details of these examples and therefore, I cannot be certain as to the reasoning behind these decisions. In any case, each planning proposal is assessed on its own merits. I have come to a decision based on the circumstances of the case.
23. The appellant has indicated a willingness to remove a “legacy” telephone kiosk located on Coles Green Road, although no mechanism has been put forward to secure its removal. Whilst its removal would be of benefit to the area in which it is located, it is outside the redline boundary for the appeal scheme, and I have not found its removal to be necessary to allow for the approval of the appeals.
24. The Metropolitan Police Service has raised concerns with the lack of management and maintenance of the existing portfolio of Street Hubs and telephone kiosks; however such considerations fall outside the scope of this appeal decision.

Conditions

25. Both parties have recommended a number of conditions to be imposed in the event that the appeals are allowed. I have assessed the suggested conditions with reference to the advice in the Framework and Planning Practice Guidance. I have amended the wording of some, and combined provisions of others, without altering their fundamental aims. I have additionally had regard to the five standard conditions set out in the Regulations, and have not duplicated proposed conditions by either party which seek an equivalent aim.
26. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out following the approved plans, for the avoidance of doubt and in the interests of certainty.
27. Alongside the standard conditions, in the interest of public safety and amenity I have imposed a condition to limit maximum night-time illumination. It is not however necessary to specify the guidance from which this illumination level has been drawn.
28. I have also imposed additional conditions to ensure that public safety is not compromised. Specifically, it is necessary to control the frequency of changes of display of the proposed advertisements, and to restrict other visual effects that could cause distraction to drivers. Given the proximity to the public highway I have imposed a condition requiring that the advertisements do not resemble traffic signs.

29. In respect of Appeal B, the appellant has suggested a consent period of 10 years secured by condition. No substantive evidence is before me to indicate why the standard five year period would not be appropriate or reasonable. I have not therefore imposed such a condition.

Conclusion

30. For the reasons given above, having considered the development plan as a whole, along with other relevant material considerations, I conclude that the appeals should be allowed subject to conditions.

S Ramsden

INSPECTOR

Schedule of Conditions

- 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 the documents submitted with the application and the following approved plans:
 - i) Drawing no. 25004825_PLN_LOC_1.1_A
 - ii) Drawing no. 25004825_PLN_SI_2.1_A
 - iii) Drawing no. 25004825_PLN_EL_3.1_A
- 3) The development hereby permitted shall be installed with the materials as set out within the approved application drawings and documents, and the pavement surrounding the Street Hub shall be made good to the same condition as the adjacent land. Should the Street Hub be removed the pavement shall be made good to its original condition.
- 4) The intensity of the illumination of the two digital display screens shall not exceed 600 candelas per square metre (cd/m²) between dusk and dawn.
- 5) The digital display screens shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).
- 6) The minimum display time for each piece of content on the digital display screens shall be 10 seconds.
- 7) 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.
- 8) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

*****END OF CONDITIONS*****