



Appeal Decision

Site visit made on 1 February 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 March 2023

Appeal Ref: APP/J2373/W/22/3304941

Footpath outside 20 Corporation Street, Blackpool FY1 1EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr James Browne (British Telecommunications PLC) against the decision of Blackpool Council.
 - The application Ref 22/0200, dated 4 March 2022, was refused by notice dated 30 May 2022.
 - The development proposed is the removal of existing BT phone box and installation of BT street hub and associated display of advertisement to both sides of the unit.
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Decision

1. The appeal is allowed and planning permission is granted for the removal of existing BT phone box and installation of BT street hub at Footpath outside 20 Corporation Street, Blackpool FY1 1EJ in accordance with the terms of the application, Ref 22/0200, dated 4 March 2022, subject to the following 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 following approved plans: BT STREETHUB BLP-202 Rev A and the Elevational Plan, Scale 1:20@A3, except in respect of the advertisements.
 - 3) Prior to the commencement of the installation of the proposed BT street hub, the existing BT phone box, as referenced as 'existing telephone call box' on approved plan BT STREETHUB BLP-202 Rev A shall be removed and the land restored to a condition which matches the footway immediately surrounding it.

Preliminary Matter

2. Whilst the description in the banner heading above includes the display of advertisements, the proposed development is for the street hub installation only. It is understood that a separate application for advertisement consent was submitted to the Council and was refused. Nevertheless, the determination as to whether advertisement consent should be granted is not before me.
3. It seems to me that, whilst the digital screen element is integral to the design of the proposal, the street hub is not reliant on it and it could exist in isolation to the advertisements. Thus, this decision relates solely to the planning merits of the street hub and makes no comment on the advertisement element of the design. I have therefore altered the description of the development in the formal decision above to reflect this.

Main Issues

4. The effect of the proposal on a) the character and appearance of the area, including the Town Centre Conservation Area, and b) highway safety.

Reasons

Character and appearance

5. The appeal site is within the Town Centre Conservation Area (the TCCA). This designation covers much of the core of Blackpool, including the seafront and North Pier. As such, the significance of the TCCA appears to be derived from the area's historic importance as a leader in tourism, along with its commercial, entertainment and cultural provision. The uniform terraces, grid-pattern streets, tight knit urban grain and grand public buildings also make an important contribution towards the TCCA's character.
6. The immediate locality around the appeal site is of a predominantly commercial character. There are various elements of street furniture in the wider street scene. I do however note that those around the appeal site are limited to traffic signage and street lighting. Nevertheless, the footway is of a considerable width and is capable of accommodating an additional feature. Also, the adjacent stretch of modern, curved street lights are, and would remain, dominant features in this part of the street scene. The proposal would be substantially smaller and would not therefore be overly dominant.
7. Furthermore, the proposed street hub would be of a slim, modern design. It would replace an existing phone box installation within very close proximity to the appeal site, which is in a somewhat neglected condition. As this form of street furniture is an established part of the street scene, the proposal, whilst of a slightly different design and size, would not appear incongruous.
8. I note that there are other street hubs within the town centre however this proposal, along with the removal of the existing phone box, would not result in a visually harmful overconcentration in this locality.
9. Consequently, the proposed street hub would not result in harm to the character and appearance of the area and would preserve the significance of the TCCA. It would therefore accord with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) (January 2016) and saved Policies LQ1, LQ2 and LQ10 of the Blackpool Local Plan 2001/2016 (June 2006) (the BLP). Along with sections 12 and 16 of the National Planning Policy Framework (the Framework), these policies and guidance collectively seek to ensure that proposals are appropriate in the street scene in terms of design and siting and that they preserve and respect the built heritage of Blackpool, including conservation areas.

Highway safety

10. The appeal site is located on the footway of Clifton Street close to a pinch point in the carriageway. Traffic at this point is restricted to one-way, with vehicles only able to approach the appeal site from the west. There is an adjacent pedestrian crossing point, located to the west of the appeal site. The siting of the proposal would not result in an interference with the visibility between drivers and pedestrians crossing at this point.

11. Pedestrians may nevertheless seek to cross the carriageway indiscriminately at a point immediately to the east of the proposed street hub. However, as the corner and junction are wide, any drivers leaving Corporation Street and turning right onto Clifton Street would have clear views of the appeal site at a variety of points, thus would have opportunities to observe pedestrians on their approach and drive accordingly.
12. Furthermore, the carriageway narrows immediately adjacent to the appeal site, traffic is restricted to one-way and this pinch point is just before a stretch of parking bays. Therefore, traffic would likely be low and drivers would be travelling at slower speeds through this part of the town in order to appropriately observe any oncoming obstacles. The proposal would also be sited a generous distance from the kerb which would ensure that pedestrians would not be significantly screened from the view of on-coming drivers traversing along Clifton Street.
13. By virtue of all of the above factors, the proposal would not interfere with the visibility between pedestrians and drivers such that it would result in a harmful effect on highway safety. The proposal would therefore accord with saved Policy AS1 of the BLP which, along with paragraph 111 of the Framework, aims to ensure that the safety needs of all affected by the development are met and that the proposal does not have an unacceptable impact on highway safety.

Other Matter

14. The proposal would be within close proximity to the Grade II listed Blackpool Town Hall. Its significance appears to be derived from its architectural features, including its plan form, elaborate fenestration detailing and symmetrical front with central clock tower, along with its historic use.
15. The Council has not raised any concerns with regards to the proposals effect on the setting of this heritage asset. By virtue of the appeal site's off-set positioning and separation from the building across the carriageway, and the scale of the proposal, I consider that it would not compete with or detract from the Town Hall's significance. It would therefore preserve its setting.

Conditions

16. The Council has provided a list of suggested conditions, which the appellant had the opportunity to comment on. In the interests of certainty, I have imposed the standard conditions relating to the commencement of the development and the approved plans. I have also added a condition requiring the removal of the existing BT phone box before the installation of the proposed street hub, as this reflects the proposal and ensures there would be no excess clutter.

Conclusion

17. The proposal accords with the development plan taken as a whole and there are no other material considerations to suggest the decision should be made other than in accordance with it. Therefore, for the reasons given above, and having had regard to all other matters raised, the appeal should be allowed.

H Ellison

INSPECTOR