



Appeal Decision

Site visits made on 10 November 2023

by Nigel McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2023

Appeal A Ref: APP/N1160/W/22/3303279

Pavement outside Astor House, 163 Notte Street, Plymouth, PL1 2AQ

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00610/FUL, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal B Ref: APP/N1160/H/22/3303280

Pavement outside Astor House, 163 Notte Street, Plymouth, PL1 2AQ

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00611/ADV, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Appeal C Ref: APP/N1160/W/22/3303281

Pavement outside The Union Rooms – JD Wetherspoons, 19 Union Street, Plymouth, PL1 2SU

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00612/FUL, dated 29 March 2022, was refused by notice dated 16 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal D Ref: APP/N1160/H/22/3303282

Pavement outside The Union Rooms – JD Wetherspoons, 19 Union Street, Plymouth, PL1 2SU

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.

Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280; APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286; APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289; APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292; APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295; APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

- The application Ref 22/00613/ADV, dated 29 March 2022, was refused by notice dated 16 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Appeal E Ref: APP/N1160/W/22/3303286

Pavement outside McDonald's, 100 New George Street, Plymouth, PL1 1RX

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00616/FUL, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal F Ref: APP/N1160/H/22/3303287

Pavement outside McDonald's, 100 New George Street, Plymouth, PL1 1RX

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00617/ADV, dated 29 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Appeal G Ref: APP/N1160/W/22/3303288

Pavement outside 1-5 Frankfort Gate, Plymouth, PL1 1QA

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00618/FUL, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal H Ref: APP/N1160/H/22/3303289

Pavement outside 1-5 Frankfort Gate, Plymouth, PL1 1QA

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00619/ADV, dated 29 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280;
APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286;
APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289;
APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292;
APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295;
APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

Appeal I Ref: APP/N1160/W/22/3303290

Pavement outside 140 Cornwall Street, Plymouth, PL1 1SW

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00620/FUL, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal J Ref: APP/N1160/H/22/3303291

Pavement outside 140 Cornwall Street, Plymouth, PL1 1SW

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00621/ADV, dated 29 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Appeal K Ref: APP/N1160/W/22/3303292

Pavement outside British Heart Foundation, 60 Cornwall Street, Plymouth, PL1 1LR

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00622/FUL, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal L Ref: APP/N1160/H/22/3303293

Pavement outside British Heart Foundation, 60 Cornwall Street, Plymouth, PL1 1LR

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00623/ADV, dated 29 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280; APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286; APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289; APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292; APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295; APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

Appeal M Ref: APP/N1160/W/22/3303294

Pavement outside TSB Bank, 162 Armada Way, Plymouth, PL1 1LY

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00624/FUL, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal N Ref: APP/N1160/H/22/3303295

Pavement outside TSB Bank, 162 Armada Way, Plymouth, PL1 1LY

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00625/ADV, dated 29 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Appeal O Ref: APP/N1160/W/22/3303653

Pavement outside Tony & Guy, 14 Cornwall Street, Plymouth, PL1 1LP

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 20/00626/FUL, dated 29 March 2022, was refused by notice dated 17 June 2022.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens plus the removal of 2no. associated BT kiosks.
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Appeal P Ref: APP/N1160/H/22/3303654

Pavement outside Tony & Guy, 14 Cornwall Street, Plymouth, PL1 1LP

- 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 BT Telecommunications PLC against the decision of Plymouth City Council.
 - The application Ref 22/00627/ADV, dated 29 March 2022, was refused by notice dated 20 June 2022.
 - The development proposed is 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Decisions:

Appeal A

1. The appeal is dismissed.

Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280;
APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286;
APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289;
APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292;
APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295;
APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

Appeal B

2. The appeal is dismissed.

Appeal C

3. The appeal is dismissed.

Appeal D

4. The appeal is dismissed.

Appeal E

5. The appeal is dismissed.

Appeal F

6. The appeal is dismissed.

Appeal G

7. The appeal is dismissed.

Appeal H

8. The appeal is dismissed.

Appeal I

9. The appeal is dismissed.

Appeal J

10. The appeal is dismissed.

Appeal K

11. The appeal is dismissed.

Appeal L

12. The appeal is dismissed.

Appeal M

13. The appeal is dismissed.

Appeal N

14. The appeal is dismissed.

Appeal O

15. The appeal is dismissed.

Appeal P

16. The appeal is dismissed.

Procedural Matters

17. The Council considers that Appeals A and B relate to a site within the setting of three Conservation Areas. However, further to my site visit, I find that the proposed development relating to these Appeals would relate only to the setting of the City Centre Conservation Area and that it would not, for reasons of siting and distance, have any effect on the setting of any other Conservation Area.
18. Appeals C, D, E and F relate to sites within the setting of a Conservation Area. Of these, Appeals E and F relate to a site that also falls within the setting of a Grade II Listed Building. Appeals G, H, I and J relate to sites within the setting of a Listed Building.
19. According to statute, 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 these areas. National planning policy, as set out in the Framework, states that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to the asset's conservation and that significance can be harmed or lost through development within their setting.
20. Each application for the development of a BT Street Hub would involve the removal of two existing phone kiosks from elsewhere. I note that the appellant considers that this would result in de-cluttering and give rise to other possible benefits in the location wherever such removal takes place.
21. In this regard, the appellant states that two existing phone kiosks occupy a larger footprint than one proposed BT Street Hub and that the removal of existing phone kiosks would visibly reduce street clutter. The appellant considers that the existing phone kiosks do not contribute to their setting in a positive manner compared to the benefits arising from, what the appellant considers to be, more aesthetically pleasing BT Street Hubs.
22. The appellant considers that the proposed BT Street Hubs comprise a significant improvement to the fall-back position of the existing phone kiosks being retained.
23. Whilst I note all of this, only one phone kiosk would be removed from only two of the appeal sites considered below and the rest of the appeal sites do not feature any existing phone kiosks. All of the appeals would involve the removal of a phone kiosk or phone kiosks from a location other than the appeal site. Consequently, this not something that necessarily impacts on the sites the subject of these appeals or on their immediate settings.

Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280;
APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286;
APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289;
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APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295;
APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

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24. I recognise that the removal of phone kiosks from elsewhere may have positive effects on the location from which they are removed. However, there is no substantive evidence before me to lead me to conclude that this would, in all.

cases, amount to something that would outweigh the harm that I identify in respect of the proposals before me.

25. Amongst other things, each proposed Hub unit would provide, free Wi-Fi, phone calls, wayfinding, device charging, a connection to emergency services and a platform for interactive technologies such as air quality monitoring. Together, I find that these are factors that amount to a community benefit, and I have taken this into account in reaching my decisions below.

Main Issues

26. The Council states, in its reasons for refusal, that each of the proposals subject to each appeal would have an unacceptable visual impact.
27. The Council draws attention to several of the appeal sites falling within the setting of heritage assets and considers that each of the proposals would be harmful to highway and/or pedestrian safety.
28. Taking everything into account, I consider that the main issues for Appeal A are the effect that the proposal would have on the character and appearance of the setting of the City Centre Conservation Area; and its effect on highway and/or pedestrian safety.
29. For Appeal B, the main issues comprise the effect of the proposal on visual amenity, including its effect on heritage assets (as identified in respect of Appeal A), and its effect on public safety.
30. The main issues for Appeal C are the effect that the proposal would have on the character and appearance of the setting of the City Centre Conservation Area; and its effect on highway and/or pedestrian safety.
31. For Appeal D, the main issues comprise the effect of the proposal on visual amenity, including its effect on heritage assets (as identified in respect of Appeal C), and its effect on public safety.
32. The main issues for Appeal E are the effect that the proposal would have on the character and appearance of the setting of the City Centre Conservation Area and whether the proposal would preserve or enhance the setting of Pannier Market, a Grade II Listed Building; and its effect on highway and/or pedestrian safety.
33. For Appeal F, the main issue is the effect of the proposal on visual amenity, including its effect on heritage assets (as identified in respect of Appeal E), and its effect on public safety.
34. The main issues for Appeal G are the effect of the proposal on the character and appearance of the area and whether it would preserve or enhance the setting of Pannier Market, a Grade II Listed Building; and its effect on highway and/or pedestrian safety.

35. For Appeal H, the main issue is the effect of the proposal on visual amenity, including its effect on heritage assets (as identified in respect of Appeal G), and its effect on public safety.
36. The main issues for Appeal I are the effect of the proposal on the character and appearance of the area and whether it would preserve or enhance the setting of Pannier Market, a Grade II Listed Building; and its effect on highway and/or pedestrian safety.
37. For Appeal J, the main issue is the effect of the proposal on visual amenity, including its effect on heritage assets (as identified in respect of Appeal G), and its effect on public safety.
38. The main issues for Appeal K are the effect that the proposal would have on the character and appearance of the area; and its effect on highway and/or pedestrian safety.
39. For Appeal L, the main issue is the effect of the proposal on visual amenity, and its effect on public safety.
40. The main issues for Appeal M are the effect that the proposal would have on the character and appearance of the area; and its effect on highway and/or pedestrian safety.
41. For Appeal N, the main issue is the effect of the proposal on visual amenity, and its effect on public safety.
42. The main issues for Appeal O are the effect that the proposal would have on the character and appearance of the area; and its effect on highway and/or pedestrian safety.
43. For Appeal P, the main issue is the effect of the proposal on visual amenity, and its effect on public safety.

Reasons

Background

44. The appeals relate to proposals for the installation of new BT Street Hubs with 75-inch digital advertisement display screens plus, as described above, for each proposed BT Street Hub it is proposed to remove two existing phone kiosks.
45. In respect of these appeals, two planning applications were determined by the Council in relation to each of eight sites, one for full planning permission for a BT Street Hub and one for planning permission and consent to display advertisements.
46. The design of each of the BT Street Hubs proposed would be the same, comprising a modern free-standing structure with two large digital

advertisement display screens – one to either side - and a user interface panel to the side. The main casing of the proposed unit would be aluminium and the

advertising displays would have front tempered and laminated glass. The proposed interface panels and vent areas would be painted powder-coated aluminium.

47. The dimensions of each BT Street Hub would be 1.236m wide by 0.35m deep by 2.98m high. The proposed digital advertisements, measuring 1.67m by 0.95m, would form a large part of each side of the BT Street Hubs.

Appeals A and B

48. The appeal site is located towards the edge of the pavement along Notte Street, outside a tall, modern, six/seven storey residential building. Notte Street in this location is a busy road situated within a mixed-use commercial area of Plymouth city centre.
49. The appeal site is located close to a corner of Notte Street, providing access to parking and servicing areas for large residential buildings. The site is also almost opposite a turning into Princess Street Ope. Consequently, the site is located along a busy city centre road close to junctions.
50. The appeal site is located on the opposite side of Notte Street to the City Centre Conservation Area and is seen within the same context as the City Centre Conservation Area as one travels along Notte Street in either direction. The City Centre Conservation Area in this location is notable for the presence of large, attractive buildings with a distinctive Post-War character. During my site visit, I observed impressive buildings along the opposite side of Notte Street to the appeal site, set back behind wide and largely clutter-free pavements, affording the buildings a sense of presence and grandeur.
51. Also, during my site visit, I noted that the pavement along the same side of Notte Street as the appeal site appears modern, attractive and notably free from street paraphernalia. With the exception of a row of small, low, discrete and simple bike racks, set immediately adjacent to Astor House, the pavement around the appeal site is clutter-free.
52. As such, the appeal site and its environs make a positive contribution to the open and spacious attributes of the area.
53. I find that the addition of a tall, solid BT Street Hub would introduce an unduly dominant feature, designed to draw attention to itself, within an area notable for a general absence of street furniture.
54. The proposal would appear as an incongruous and visually intrusive feature, out of keeping with its setting and it would detract from the open and spacious qualities characteristic of this part of the setting of the City Centre Conservation Area. The harm arising from this would be exacerbated as a result of the proposed large, changing and attention-grabbing advertisements which would appear to either side of the BT Street Hub.

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55. In addition to the above, I consider that the proposed BT Street Hub and advertisements would, due to their prominent location close to the pavement.

edge along a busy road, be likely to draw the eye of highway users as they make their way along Notte Street. This would occur very close to two junctions, to the entrance to large residential buildings and to a cycle-parking area. I find that this runs the significant risk of distracting the attention of both road and pavement users in a busy location. I find that this would result in the potential for danger to highway users.

56. Whilst I note the Council's comments that a road safety audit may address some issues relating to highway safety, I am also mindful that the Council has also raised significant concerns in respect of the proposal preventing the free flow of pedestrian movement. Taking all of the above into account, I find that the proposed BT Street Hub is likely to exacerbate the scope for people congregating and that this would lead to the risk of pedestrians stepping out into the highway along a busy city centre road close to junctions.
57. Taking all of the above into account, I find that the proposed BT Street Hub would harm the character and appearance of the setting of the City Centre Conservation Area. This would be contrary to the NPPF and to Local Plan¹ Policies SO3, PLY6, DEV20 and DEV21 which together amongst other things, seek to protect local character. The proposed BT Street Hub would also harm highway safety, contrary to the NPPF and to Local Plan Policies PLY6, SO3, DEV1, DEV20 and DEV29 which together amongst other things, promote safe streets.
58. The harm arising would be localised and in respect of the significance of the heritage asset, would be less than substantial. Public benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and I note above that possible benefits might arise from the removal of phone kiosks elsewhere. However, in this case, all of the public benefits identified in support of the proposal do not amount to something that would outweigh the significant harm identified.
59. The proposed advertisement would harm visual amenity, having regard to the setting of the City Centre Conservation Area and would harm public safety, having regard to highway and pedestrian safety.
60. Appeals A and B are dismissed.

Appeals C and D

61. The appeal site is located towards the edge of the pavement along Union Street, close to a major road junction. Union Street in this location is a very busy highway within a mixed-use commercial area of Plymouth city centre.
62. The appeal site is located along the pavement in front of a large modern pub and there is a bus stop and a pedestrian crossing within close proximity.

¹ Plymouth and South West Devon Joint Local Plan (2019).

63. The appeal site is located just outside and within the setting of the City Centre Conservation Area, which begins further along Union Street, towards the centre.

of the city. The City Centre Conservation Area is characterised by the presence of large, attractive, distinctively mid-Twentieth Century buildings set within a spacious grid pattern of streets.

64. As one travels towards and alongside the appeal site in the direction of the City Centre Conservation Area, there is an increasing sense of the presence of large and notable commercial buildings with a distinctive, attractive post-war character.
65. During my site visit, whilst I noted the presence of impressive buildings further along Union Street from the appeal site, I also noted, away from the appeal site, the presence of considerable street furniture, including road signs, telecoms boxes, bus stops, phone kiosks, waste bins and bollards. By way of contrast, aside from discretely located planters immediately adjacent to the pub, the pavements along both sides of Union Street in the area around the appeal site are notably free from street furniture. This provides for an attractive, open and spacious character and makes a positive contribution to the setting of the City Centre Conservation Area.
66. I find that the proposed BT Street Hub would appear as a highly incongruous feature within this otherwise open and spacious area of pavement. Further, the harm arising from this would be exacerbated as a result of the visual impact of the proposed large and changing advertisements, designed by their very nature to draw attention to themselves.
67. These would be located within an area where no other such advertisements are present and I find that they would draw the eye to an undue extent, appearing visually intrusive and emphasising the alien appearance of the proposal within its surroundings.
68. Consequently, I find that the proposed BT Street Hub and advertisements would detract from the setting of the City Centre Conservation Area.
69. I note that the proposed BT Street Hub would take up space along a busy pavement. However, in this case, I find that, along the wider run of Union Street, there appears to be sufficient room for both pedestrians and street furniture and that whilst the proposal might impede pedestrian flows to some degree, any harm arising in respect of public safety, having regard to highway and pedestrian safety, would not be significant.
70. Taking all of the above into account, I find that the proposed BT Street Hub would harm the character and appearance of the setting of the City Centre Conservation Area. This would be contrary to the NPPF and to Local Plan Policies SO3, PLY6, DEV20 and DEV21 which together amongst other things, seek to protect local character.

71. The harm arising would be localised and in respect of the significance of the heritage asset, would be less than substantial. Public benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and I note above that possible benefits might arise from the removal of phone kiosks elsewhere. However, in this case, all of the public

benefits identified in support of the proposal do not amount to something that would outweigh the significant harm identified.

72. The proposed advertisement would harm visual amenity, having regard to the setting of the City Centre Conservation Area.
73. Appeals C and D are dismissed.

Appeals E and F

74. The appeal site is located within a pedestrianised area along New George Street in Plymouth city centre. New George Street in this location is a busy shopping area, with three storey retail buildings, including the rear of the distinctively designed Post-War Grade II Listed Pannier Market, along the same side of the street as the appeal site and similar buildings and an access road across the opposite side of the street.
75. The appeal site is located within the immediate setting of the City Centre Conservation Area. Due to the appearance of shopfronts at a lower level, there is little sense of the presence of the Grade II Listed Pannier Market from the appeal site itself, such that I find that the proposed development would not impact on its setting.
76. However, much of the pedestrianised area within which the appeal site is located is situated within the City Centre Conservation Area, characterised in this location by the presence of shops and of attractive and imposing mid-Twentieth Century buildings set within a carefully landscaped pedestrianised and traffic-calmed street.
77. During my site visit, I observed the landscaping along New George Street to comprise a strikingly attractive feature. It provides for shared pedestrian and vehicular space and is notable for its surface of stone setts and paving, the presence of two long rows of regularly spaced street trees and the purposefully rhythmic placing of benches, waste bins and bollards. This carefully designed landscaping makes a very significant positive contribution to the City Centre Conservation Area.
78. The appeal site is located within a row of street trees, waste bins, bollards and benches and the proposal would include the removal of a phone kiosk from this location.
79. During my site visit, I observed there to be a free-standing advertisement a short distance along the row within which the appeal site is located and noted that, whilst arguably less intrusive than would be a more imposing BT Street

Hub with digital advertisements, this existing advertisement, together with the phone kiosk, disrupt the regular form and rhythm of the landscaping described.

80. I find that the replacement of the phone kiosk with a taller development including two very large digital advertisements would serve only to significantly increase the sense of disruption to the landscaping along New George Street.
81. The imposing BT Street Hub and its attention-grabbing advertisements would jar with and draw the eye away from, New George Street's attractive qualities.
82. I also find that the proposal would appear to combine with the existing advertisement further along New George Street to result in an unduly cluttered appearance, which would be out of keeping with the rhythmic features of the street.
83. Consequently, I find that the proposed BT Street Hub, with advertisements to either side, as proposed, would detract from the setting of the City Centre Conservation Area.
84. Given the wide expanses of paving arising from the pedestrianised nature and associated traffic-calming of New George Street, the proposed development would not disrupt pedestrian flows to any notable degree and would not therefore, result in any significant harm in respect of public safety, having regard to highway and pedestrian safety.
85. Taking all of the above into account, I find that the proposed BT Street Hub would harm the character and appearance of the setting of the City Centre Conservation Area. This would be contrary to the NPPF and to Local Plan Policies SO3, PLY6, DEV20 and DEV21 which together amongst other things, seek to protect local character.
86. The harm arising would be localised and in respect of the significance of the heritage asset, would be less than substantial. Public benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and I note above that possible benefits might arise from the removal of phone kiosks elsewhere – noting that in this case, the submitted plans show the removal of one phone kiosk from the appeal site itself. However, in this case, all of the public benefits identified in support of the proposal do not amount to something that would outweigh the significant harm identified.
87. The proposed advertisement would harm visual amenity.
88. Appeals E and F are dismissed.

Appeals G and H

89. The appeal site is located along Frankfort Gate, close to its junction with Market Avenue. Frankfort Gate is a wide and busy mixed use pedestrianised street,

lined to either side with four storey terraces comprising residential flats above ground floor shops. It is located in a busy part of Plymouth city centre.

90. Notably, a main entrance to the Grade II Listed Pannier Market faces towards Frankfort Gate and the appeal site, from a short distance away across Market Avenue. The Grade II Listed Pannier Market is notable for its distinctive, modern, powerfully simple mid-Twentieth Century design and shell concrete and glazed materials.
91. During my site visit, I observed that landscaping works along Market Avenue, including use of attractive surface stone setts and paving and the careful placement of bollards, street trees and planters make a very positive contribution to the setting to the Grade II Listed Pannier Market. This landscaped area adjoins Frankfort Gate, where the presence of more mature street trees and wide expanses of paving serves to add to an open and spacious character.
92. Also, during my site visit, I noted that the presence of a free-standing advertisement, phone kiosk and information post all combine to present a somewhat cluttered appearance to this part of Frankfort Gate. This cluttered effect is furthered by the additional presence of a lamppost, wastebin, bench and trees, all within close proximity of the appeal site.
93. Whilst it would replace a phone kiosk, I find that the introduction of a BT Street Hub, with digital advertisements to either side, as proposed, would introduce a taller, more dominant and attention-grabbing feature and in doing so, would add significantly to the unduly cluttered appearance of this part of Frankfort Gate.
94. Further to the above, I consider that the proposed development would, by its very nature, draw the eye as an imposing feature and this would be to the detriment of the setting of the Grade II Listed Pannier Market. When travelling along Frankfort Gate towards the Grade II Listed Pannier Market, the proposed BT Street Hub and particularly, its large, impactful and changing advertisements would jar severely with and detract from the appearance of, the heritage asset beyond.
95. Further to the above, I also consider that the proposed BT Street Hub would, due to its different dimensions and appearance, jar with the appearance of both the existing free-standing advertisement and the information post, both of which appear within close proximity to the appeal site.
96. Taking all of the above into account, I find that the proposed development would detract from the setting of the Grade II Listed Pannier Market.
97. Noting the very wide expanses of paving around the appeal site and the pedestrianised nature of the wider area, the proposed development would not result in any significant harm in respect of public safety, having regard to highway and pedestrian safety.

Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280;
APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286;
APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289;
APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292;
APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295;
APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

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98. Given all of the above, I find that the proposed BT Street Hub would harm the character and appearance of the setting of the Grade II Listed Pannier Market. This would be contrary to the NPPF and to Local Plan Policies SO3, PLY6, DEV20 and DEV21 which together amongst other things, seek to protect local character.
99. The harm arising would be localised and in respect of the significance of the heritage asset, would be less than substantial. Public benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and I note above that possible benefits might arise from the removal of phone kiosks elsewhere – noting that in this case, the submitted plans show the removal of one phone kiosk from the appeal site itself. However, in this case, all of the public benefits identified in support of the proposal do not amount to something that would outweigh the significant harm identified.
100. The proposed advertisement would harm visual amenity. Taking this and the above into account, Appeals G and H are dismissed.

Appeals I and J

101. The appeal site is located along Cornwall Street, a traffic-calmed street in a mixed-use area within Plymouth city centre. The appeal site is located adjacent to a four-storey block comprising largely retail uses to the ground floor, with flats above.
102. Directly across Cornwall Street, on the opposite side of the road, is the Grade II Listed Pannier Market, appearing as retail uses and an entrance at ground floor level with a hugely impressive glazed and shell concrete expanse above.
103. Consequently, the appeal site is situated within the immediate setting of the Grade II Listed Pannier Market, notable for its distinctive, modern, mid-Twentieth Century, powerfully simple design and shell concrete and glazed materials.
104. During my site visit, I observed that the landscaping along Cornwall Street is attractively designed. It provides for shared pedestrian and vehicular space and is notable for its surface materials, including stone setts and paving, as well as the presence of two long rows of regularly spaced street trees and the purposeful spacing of lampposts, bollards, planters, wastebins and benches. This affords a strong sense of rhythm and regularity to the street.
105. I also noted during my site visit that, other than the carefully laid out landscaping, there is a general absence of street clutter. Only the presence of a single, free-standing advertisement further along and on the opposite side of Cornwall Street to the appeal site, appears to disrupt and detract from the rhythmic qualities of the wider area's character.

Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280;
APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286;
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APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292;
APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295;
APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

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106. Given the above, I find that the appeal site and the area around it make a significant positive contribution to the setting of the Grade II Listed Pannier Market.
107. I find that the proposed BT Street Hub, due to a scale and form unlike any other feature in the area, would appear as a highly incongruous feature within this carefully landscaped area of Cornwall Street. The harm arising from this would be exacerbated as a result of the visual impact of the proposed large and changing advertisements, designed by their very nature to draw attention to themselves.
108. I find that the BT Street Hub with digital advertisements to either side, as proposed, would appear visually intrusive and detract severely from the significant qualities identified above, which make a positive contribution to the landscaped setting of the Grade II Listed Pannier Market.
109. The BT Street Hub and its digital advertisements would introduce a more prominent and attention-grabbing feature than the existing advertisement noted above and whilst this advertisement is some distance away, I find that the proposed development would form a visual link with it and that this would result in an undue sense of street clutter, detracting significantly from the otherwise largely uncluttered and curated appearance of this part of Cornwall Street.
110. Further to the above, I consider that the proposed development would, by its very nature, draw the eye as an imposing feature and that this would be to the detriment of the setting of the Grade II Listed Pannier Market. In particular, the large, prominent and changing advertisements would jar severely with the heritage asset's attractive simplicity.
111. Taking all of the above into account, I find that the proposed BT Street Hub and advertisements would harm the setting of the Grade II Listed Pannier Market.
112. The pedestrianised and traffic-calmed nature of the wider area mean that the proposed development would not result in any significant harm in respect of public safety, having regard to highway and pedestrian safety.
113. Taking all of the above into account, I find that the proposed BT Street Hub would harm the character and appearance of the setting of the Grade II Listed Pannier Market. This would be contrary to the NPPF and to Local Plan Policies SO3, PLY6, DEV20 and DEV21 which together amongst other things, seek to protect local character.
114. The harm arising would be localised and in respect of the significance of the heritage asset, would be less than substantial. Public benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and I note above that possible benefits might arise from the removal of phone kiosks elsewhere. However, in this case, all of the public

benefits identified in support of the proposal do not amount to something that would outweigh the significant harm identified.

115.The proposed advertisement would harm visual amenity.

116.Appeals I and J are dismissed.

Appeals K and L

117.The appeal site is located along Cornwall Street, which in this location is a pedestrian boulevard comprising a busy shopping street in Plymouth city centre. The wide boulevard is lined by two and three storey blocks of shops.

118.The appeal site is located close to a two-storey shop and to a wide pedestrian walkway providing access through to the rear of Cornwall Street.

119.During my site visit, I observed this part of Cornwall Street to comprise an attractive pedestrianised area, dominated by the significant presence of raised planted areas, sitting areas and of mature and more recent street trees. This affords the area something of a parkland feel and provides for a pleasant shopping environment.

120.I also noted during my site visit that there is a general absence of street clutter. Whilst there are occasional telecoms boxes, bollards and wastebins, these tend to appear as discrete and unassuming features and do not detract to any significant degree from the attractive green, spacious and uncluttered overall character of the area.

121.I find that the development of a BT Street Hub with digital advertisements to either side, as proposed, would introduce an alien and incongruous form of development, unlike any other feature in this location. The proposed development would introduce street clutter that would appear out of character with and detract from the appearance of, the area's spacious surroundings.

122.Further to the above, the imposing BT Street Hub and the large and changing advertisements, designed by their very nature to draw attention to themselves, would jar with the area's notable green and relaxing qualities and I find that this would exacerbate the visual harm arising.

123.The very wide pedestrianised boulevard means that the proposed development would not result in any significant harm in respect of public safety, having regard to highway and pedestrian safety.

124.Taking all of the above into account, I find that the proposed BT Street Hub would harm the character and appearance of the area. This would be contrary to the NPPF and to Local Plan Policies SO3, PLY6 and DEV20 which together amongst other things, seek to protect local character.

125.Whilst I note that benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and that, as noted above, possible benefits might arise from the removal of phone kiosks

elsewhere, I find that in this case, the benefits identified in support of the proposal do not outweigh the significant harm identified.

126. The proposed advertisement would harm visual amenity.

127. Taking the above into account, Appeals K and L are dismissed.

Appeals M and N

128. The appeal site is located along Armada Way in Plymouth city centre, which in this location is a very wide pedestrianised street with a large central landscaped area. The street is edged by three storey blocks in retail, leisure and other commercial uses.

129. The appeal site is located along the pedestrianised walkway, away from the buildings and in line with a notably green and landscaped area.

130. During my site visit, I observed this part of Armada Way to be dominated by a wide expanse of greenery and landscaping, akin to a linear park running along the middle of the street. This area comprises paved walkways, large flower beds, raised areas of grassland, street trees, and numerous sitting areas. Narrower walkways run alongside the buildings to either side of the street and these walkways are generally separated from the wide expanse of greenery and landscaping by mature street trees set out in a row, some within raised areas.

131. A single free-standing advertisement lies some distance from the appeal site and is separated from it by two large mature trees. Other than this and a small number of low-level unassuming features located in the wider area around the appeal site, including a wastebin and a telecoms box, the paved areas appear predominantly uncluttered.

132. All of the above results in a very green and spacious environment.

133. Given this, I find that the development of a BT Street Hub with digital advertisements to either side, as proposed, would introduce an incongruous and alien form of development that would be uncharacteristic of this part of Armada Way.

134. The BT Street Hub and its digital advertisements, would appear large and imposing and would jar significantly with the area's relaxing feel, derived from its green and spacious surroundings. Consequently, I find that the proposed development would appear visually intrusive and would detract from the area's attributes.

135. Further to the above, the proposed development would introduce a cluttered effect uncharacteristic of the immediate setting of the appeal site and this would add to the harm identified above.

136. Whilst I note that the appeal site's location within a very large pedestrianised area would prevent any significant harm arising in respect of public safety, having regard to highway and pedestrian safety, I find that the proposed

Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280; APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286; APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289; APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292; APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295; APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

BT Street Hub would, for the reasons set out above, harm the character and appearance of the area. This would be contrary to the NPPF and to Local Plan Policies SO3, PLY6 and DEV20 which together amongst other things, seek to protect local character.

137. Whilst I note that benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and that, as noted above, possible benefits might arise from the removal of phone kiosks elsewhere, I find that in this case, the benefits identified in support of the proposal do not outweigh the significant harm identified.

138. The proposed advertisement would harm visual amenity.

139. Appeals M and N are dismissed.

Appeals O and P

140. The appeal site is located along Cornwall Street, a wide, largely pedestrianised street with, predominantly, two storey blocks of shops and commercial buildings to either side. It is situated in Plymouth city centre.

141. During my site visit, I noted that there are two long rows of street trees running along either side of Cornwall Street, with a shared pedestrian/vehicular area running in between and paved pedestrian-only areas between the trees and shops. This results in a notably green and spacious environment.

142. I also observed during my site visit that the pavement including and around the appeal site is notably free from street clutter and as such, it makes a positive contribution to the area's spacious character.

143. Given this, I find that the proposed development of a BT Street Hub, together with digital advertisements to either side as proposed, would introduce an alien and incongruous form of development, out of keeping with the appeal site's surroundings.

144. The BT Street Hub would appear as a large and imposing structure that would jar with the area's green, spacious and uncluttered surroundings and together, the BT Street Hub and its digital advertisements would draw attention to themselves as visually intrusive features. Consequently, the proposed development would detract from the green and spacious character of the area.

145. Whilst I note that there are two free-standing advertisements in the wider area adding an element of clutter further afield, these are situated in areas of Cornwall Street some distance away from the appeal site and separated from it by trees and/or substantial areas of planting. Consequently, I find that the presence of these existing advertisements provides no supportive precedent for the proposed development.

146. The appeal site is located within a wide pedestrianised area and no significant harm would arise from the proposed development in respect of public safety,

Appeal Decisions: APP/N1160/W/22/3303279; APP/N1160/H/22/3303280;
APP/N1160/W/22/3303281; APP/N1160/H/22/3303282; APP/N1160/W/22/3303286;
APP/N1160/H/22/3303287; APP/N1160/W/22/3303288; APP/N1160/H/22/3303289;
APP/N1160/W/22/3303290; APP/N1160/H/22/3303291; APP/N1160/W/22/3303292;
APP/N1160/H/22/3303293; APP/N1160/W/22/3303294; APP/N1160/H/22/3303295;
APP/N1160/W/22/3303653; APP/N1160/H/22/3303654.

having regard to highway and pedestrian safety. However, I find that the proposed BT Street Hub would, for the reasons set out above, harm the character and appearance of the area. This would be contrary to the NPPF and to Local Plan Policies SO3, PLY6 and DEV20 which together amongst other things, seek to protect local character.

147. Whilst I note that benefits may arise from the proposal, including community benefits in terms of access to free Wi-Fi and other information and that, as noted above, possible benefits might arise from the removal of phone kiosks elsewhere, I find that in this case, the benefits identified in support of the proposal do not outweigh the significant harm identified.

148. The proposed advertisement would harm visual amenity.

149. Taking the above into account, Appeals O and P are dismissed.

Conclusions

150. I conclude that, for the reasons given above and having regard to all matters raised, Appeals A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P should fail.

N McGurk

INSPECTOR