



Appeal Decisions

Site visit made on 25 June 2025

by H Miles BA (hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th July 2025

Appeal A Ref: APP/Y3615/W/25/3361986

Footpath outside 46/48 North Street, Guildford.

- 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 Simon Warner of BT Group Plc against the decision of Guildford Borough Council.
 - The application Ref is 24/P/01727.
 - The development proposed is installation of new BT street hub unit and associated advertisement panels on either side of the unit.
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Appeal B Ref: APP/Y3615/H/25/3361987

Footpath outside 46/48 North Street, Guildford.

- 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 Simon Warner of BT Group Plc against the decision of Guildford Borough Council.
 - The application Ref is 24/P/01727.
 - The development proposed is installation of new BT street hub unit and associated advertisement panels on either side of the unit.
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Decision

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. It is clear from the submitted drawings and details that the appeals relate to a site outside Marks and Spencer at 46/48 North Street. I have therefore updated the addresses in the banner headings to accurately refer to the location proposed.
3. For clarification, Appeal A seeks permission for the 'hub' which is also the structure on which the advertisement would be displayed. Appeal B seeks permission for the advertisement.
4. The National Planning Policy Framework (2024) (Framework) states that advertisements should be subject to control only in the interests of amenity and public safety. I have considered Appeal B on this basis.

Main Issues

5. The main issue for appeal A is the effect of the proposed development on the character and appearance of the Guildford Town Centre Conservation Area (CA).
6. The main issue for appeal B is the effect of the proposed development on amenity, with particular regard to the character and appearance of the CA.

Reasons

Character and Appearance - Appeal A and B

7. The appeal site is located within the Guildford Town Centre Conservation Area. I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. With regard to Appeal B, this remains relevant in so far as it relates to the consideration of amenity. As a whole this CA derives its significance from its historic town centre use, layout and architectural features.
8. North Street forms the boundary of the CA in this location with the side of the road including the appeal site within the CA and the other side outside the CA. North Street is busy with traffic passing and parked vehicles within a taxi rank. It has a commercial character, evidenced by its shops and services including glazing to shopfronts and there are some larger buildings which do not complement the smaller scale development found along the High Street and elsewhere in the CA. Whilst there is signage, internal illumination is rare particularly on this side of the road. On the opposite side of the road there is an existing hub with an illuminated advertisement. This is outside the CA and therefore the considerations of its effect on the character and appearance of that area differ from those before me now. There is also a hub located outside The Friary. This is further from the appeal site, immediately outside a shopping centre and not within the CA. As such, its surroundings also differ. Nevertheless, hubs have been permitted in the vicinity and these contribute to the existing character and appearance of the wider area.
9. Where North Street meets Swan Lane and at the junction with Commercial Road the pavement is wide and there is a grouping of street furniture including benches, bins, planters and communication cabinets. The pavement between these points narrows and street furniture here is limited to mainly slender streetlamps, a wayfinding sign, and a bin. This provides an important spatial and visual break along this more restricted part of the pavement. Therefore, in the immediate vicinity of the appeal site, whilst there is a commercial character, signage and street furniture are not dominant and the important characteristics of the CA including its historic uses, buildings and street layout remain prominent.
10. 41-43 North Street is a locally listed building, its significance appears to be from its traditional appearance and detailing and it has a modest degree of heritage significance meriting consideration in planning decisions. This is experienced in public views along North Street with some limited intervisibility between the appeal site and the frontage of this building. As such, in this regard, the appeal site forms a minor part of the setting of the locally listed buildings.
11. The proposed developments would introduce a hub around 1.2m wide and 3m tall and sited with its widest elevation perpendicular to the pavement edge. It would be located on the narrower part of the pavement, close to the taxi rank. The appeal schemes would include large illuminated screens and in the case of Appeal B, the images displayed would be advertisements.
12. This would be a large and evidently modern item of street furniture sited in an area of the pavement that is more open. Furthermore, although there is an illuminated hub on the other side of the road, the proposed illumination would be bright in this part of the streetscene, particularly at night. The development would therefore harmfully erode the important spatial and visual break in this part of the pavement

and its brightness, at the size proposed, would be an overly prominent feature in this area. It would therefore detract from the important characteristics of the CA described above. Whilst it is small scale, it would be highly conspicuous. For these reasons, this harm would be at the low-mid end of less than substantial harm for the purposes of the Framework.

13. Its dominant appearance would be seen in some views towards the locally listed building from this part of North Street. However, taking into account the limited intervisibility and the modest heritage significance of the locally listed building, this indirect effect would result in a low degree of harm to its significance.
14. The proposed hub would replace two phone boxes on the footpath at 11-12 Friary Street. However, there is no mechanism to secure their removal in connection with the proposed development. Furthermore, they are not seen from the appeal site and the proposed hub would not provide a visual replacement for these existing structures. As such, this would not provide a notable improvement as a result of the appeal schemes.
15. A decision in a different area where illuminated advertisements were found to be acceptable in a conservation area has been brought to my attention (ADA-180-2017 (DPEA)). Given the differences in location, the evidence does not demonstrate that this is comparable to the scheme before me now. However, in common with this decision, I have considered the site specific character and appearance relevant to this particular scheme.
16. As such, Appeal A would result in harm to the character and appearance of the CA. Therefore, it would be contrary to Policies D1 and D3 of the Guildford borough Local Plan: strategy and sites 2015-2034 (2019) (LP), and Policies D4, D18 and D20 of the Guildford Local Plan Development Management Policies (2023) (DMP). Together, in summary, these require high quality design that responds to local character and distinctiveness and conserves and enhances the historic environment including conservation areas.
17. Appeal B would have a harmful effect on amenity with particular regard to the character and appearance of the CA. I have taken into account Policies D1 and D3 of the LP, and Policies D4, D18 and D20 of the DMP, the aims of which are set out above. As the proposal would harm amenity, it conflicts with these policies.

Other Matters

18. The Framework states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being and it supports the expansion of electronic communications networks. It also requires that local planning authorities should not question the need for an electronic communications system.
19. The appeal submission sets out that the unit could provide a 5G small cell, if required by the operator. However, I am not provided with evidence of any gap in signal strength that requires this provision. There is also no indication that environmental sensors would be included on this hub, or that these are needed in this case. The hub would provide some free services to the public. These include USB charging ports, wifi and a connection to emergency services with the use of carbon-free energy. These would provide a useful function to members of the public and as such are a benefit of this development. Nevertheless, such services

are already provided in other ways, albeit they may not be free. The signs could be used for local business and council advertising as well as community and emergency messaging. However, no mechanism has been submitted that secures that such public messages would be displayed. Therefore, overall, the public benefits of the proposed development are modest.

Appeal A – Heritage Balance

20. The Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. It goes on to advise that harm to significance should have a clear and convincing justification. In terms of the Framework the harm to the CA would be at the low-mid level of less than substantial. Nevertheless, having regard to my statutory duty I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA and I attribute considerable importance and weight to the harm identified.
21. Paragraph 202 of the Framework requires me to weigh this harm against the public benefits of the scheme. Accordingly, taking all the above into account, the modest public benefits would not outweigh the harm to the CA. Consequently, Appeal A conflicts with the development plan and there are no material considerations which indicate that the appeal should be decided other than in accordance with it.

Appeal B

22. Advertisements are subject to control only in the interests of amenity and public safety. The evidence submitted does not satisfy me that these other matters would amount to benefits in these regards. As such, these factors do not alter my decision.

Conclusion

23. Therefore, for the reasons given above, Appeal A and B should both be dismissed.

H Miles

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/Y3615/W/25/3361986	BT GROUP PLC
Appeal B	APP/Y3615/H/25/3361987	BT GROUP PLC