



Appeal Decisions

Site visit made on 11 July 2025

by **B Pattison BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 AUGUST 2025

Appeal A Ref: APP/C3620/W/25/3364080

Footway outside 25 North Street, Leatherhead KT22 7AT

Grid Ref Easting: 516429, Grid Ref Northing: 156525

- 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, BT Group PLC against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/2118/PLA.
 - The development proposed is Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit
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Appeal B Ref: APP/C3620/H/25/3364081

Footway outside 25 North Street, Leatherhead KT22 7AT

Grid Ref Easting: 516429, Grid Ref Northing: 156525

- 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, BT Group PLC against the decision of Mole Valley District Council.
 - The application Ref is MO/2024/2118/PLA.
 - The development proposed is Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. Appeal A concerns the refusal of planning permission to erect a street hub unit. Appeal B concerns the refusal of express consent for advertisement panels on either side of the street hub. The two appeals relate to the same site and to each other. I have considered each on its individual merits, but as they are intrinsically linked and raise similar issues, I have combined these cases in a single decision letter.
4. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken account of the policies that the Council considers to be relevant, these have not been decisive in my determination of this appeal.

Main Issues

5. The main issue in respect of Appeal A is the effect of the proposal on the character and appearance of the area.
6. In respect of Appeal B, the main issue is the effect on amenity.

Reasons

7. The appeal site is a wide stretch of pavement located adjacent to a bus stop. The pavement fronts a one-way, two lane vehicular route which connects the town centre and train station. To the rear of the appeal site is a contemporary supermarket building and associated car park. There are green verges and mature trees on the opposite side of the road and hedge and tree planting adjacent to the site and next to the exit to the supermarket car park. Whilst the surrounding area is predominantly commercial in character, as a result of the ample vegetation and wide road, the area has a pleasant, open and verdant character.
8. The street hub would be located on a straight stretch of road which is close to the one way system's large, sweeping curve to the north. As a result, it would be prominent in long views from the west and around the curve of the road from both the north and the east. Within this context, the proposed street hub would be a prominent and obtrusive feature, introducing clutter into an area of open pavement which is currently open and free from clutter.
9. The street hub would be set back from the pavement edge in line with the adjacent bus stop, which I understand recently hosted illuminated advertisements. In addition to the bus stop, other nearby street furniture is limited to slim street lights and traffic/road signage, which are not particularly prominent additions to the streetscene. In contrast, due to its size, siting, and the illumination of its advertisements, the street hub would be a visually obtrusive addition to the streetscene within this particular location.
10. The supermarket building to the rear of the appeal site is contemporary in design, with large expanses of glazing. Notwithstanding this and whilst the design of the hub is modern with a narrow profile, in this location, its significant height and overall scale would appear as an overly prominent addition to the area.
11. The appellant indicates that, whilst there are no existing phone boxes located at the appeal site, two existing phone boxes within the local area would be removed as part of the appeal proposal. As the two phone boxes are some distance from the appeal site, their removal would not mitigate the harm arising from the proposal in this specific location. Furthermore, from the evidence before me, the phone boxes do not include illuminated displays, as would be the case in respect of the appeal proposals.
12. The appeal site is not within a conservation area (CA) or the setting of a listed building. However, the boundary of the Leatherhead Conservation Area (CA) lies immediately to the east of the site. The significance of the CA in this area stems from the mix of single, two and three storey buildings often with shopfronts, which lead to the commercial core of Leatherhead and form an attractive street scene. The proposed street hub would be located a sufficient distance from these buildings and I consider that it would not be experienced in association with or adversely affect the setting of the Conservation Area. The proposal, in this respect,

would preserve the character and appearance of the Conservation Area and not adversely affect its significance as a heritage asset.

13. Nevertheless, for the reasons above, I conclude that the street hub would unduly harm the character and appearance of the area. In relation to Appeal A, the proposal would conflict with Policy EN4 of the Mole Valley Local Plan (2024) (LP) which requires all new development to be of high-quality design that makes a positive contribution to its local character.
14. In terms of Appeal B, and in accordance with the Regulations, I have taken into account the provisions of the development plan in so far as they are relevant. Policy EN4 of the LP outlines that the Council will exercise strict control over the number, design and siting of advertisements to ensure the character and amenity of streets are not materially harmed. As such, this is a material consideration insofar as it relates to this appeal. I conclude that the advertisements would be harmful to the visual amenity of the area.

Other Matters

15. The appellant has indicated other proposals granted permission in a number of locations across the country. There will be situations where street hubs are appropriate in visual terms, but I do not have sufficient information to determine whether the sites referred to had the same characteristics as the appeal site, and consequently these decisions do not alter the conclusion I have come to regarding the harm that the proposal would cause.
16. The proposal would provide a number of benefits to the local community, which in summary include ultrafast Wi Fi, environmental monitoring (including air quality, noise, and traffic), 5G mobile network coverage, free phone calls, access to public services, multiple accessibility options, the display of community and emergency messaging, and free advertising for the Council and local businesses.
17. These benefits would be in compliance with a number of the Council's development plan policies and relevant paragraphs of the Framework, including paragraph 119 and 120 of the Framework which state that, amongst other things, advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing, and that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G).
18. I note that the street hub would be powered by 100% renewable carbon-free energy and that a maintenance regime would be put in place. The main parties agree that the proposal would not have a material impact on the safety and operation of the adjoining public highway.
19. However, the proposal would give rise to adverse impacts in relation to the unacceptable effect on the character and appearance of the area, in the terms I have described above. The Framework outlines at paragraph 131 that, amongst other things, the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. I consider that the public benefits should be afforded moderate weight and would not outweigh the harm to the character and appearance of the area that I have identified. Planning conditions could not overcome this harm.

20. In terms of the planning application, the harm and related policy conflict would be such that the scheme would not comply with the development plan when considered as a whole and material considerations do not indicate that the decision should be made otherwise than in accordance with the development plan. I conclude that the planning appeal should therefore be dismissed.
21. With the advertisement appeal, the display in this position would be unduly harmful to the amenity of the area and I conclude that this appeal should also be dismissed.

Conclusion

22. For the reasons given above, and having regard to all other matters raised, both Appeal A and Appeal B are dismissed.

B Pattison

INSPECTOR