



Appeal Decisions

Site visit made on 2 September 2025

by **E Grierson BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 September 2025

Appeal A Ref: APP/D1590/W/25/3366225

Footpath outside 2-8 Marine Parade, Southend-on-Sea SS1 2EJ

- 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 BT Group PLC against the decision of Southend-on-Sea City Council.
 - The application Ref is 25/00179/BC4 .
 - The development proposed is install 1No. BT Street Hub Unit.
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Appeal B Ref: APP/D1590/H/25/3366228

Footpath outside 2-8 Marine Parade, Southend-on-Sea SS1 2EJ

- 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 Group PLC against the decision of Southend-on-Sea City Council.
 - The application Ref is 25/00180/ADV .
 - The development proposed is install two digital 75 inch LCD display screens, one on each side of the Street Hub Unit.
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Decision

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. As set out above there are two appeals on this site. One for the installation of the BT Street Hub Unit itself and the other for the advertisement screens which are integrated within it. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
3. The descriptions of the proposed development and advertisement outlined above have been taken from the decision notice rather than the application or appeal forms, as these provide a more accurate description of the proposal.

Main Issues

4. The main issue for Appeal A is the effect of the proposed development on the character and appearance of the surrounding area, the setting of nearby listed buildings, 1-3 Marine Parade and 4 Marine Parade and the locally listed and local landmark building, the Park Inn Palace Hotel, and the setting of the Clifftown Conservation Area.
5. The main issue for Appeal B is the effect of the proposed advertisement on visual amenity.

Reasons

6. The appeal site forms part of the pavement on the junction of Marine Parade and Pier Hill, adjacent to various commercial premises including a large amusement arcade and a theme park on the opposite side of the road. This section of pavement is relatively wide and is occupied by a number of items of street furniture, including lampposts, a dustbin, public seating and road signage, but these are minimal in scale, generally located on the edge of the pavement and blend well into the streetscape. Therefore, this busy section of pavement still provides a clear footway for pedestrians and its open and uncluttered nature makes a positive contribution to the character and appearance of the streetscene.
7. The proposed development in Appeal A includes a fairly large rectangular hub providing various facilities for the public to use, with advertisement screens on both sides. Whilst the design of the hub is modern and simplistic with a slimline profile, in this location, in the centre of the pavement, its significant height and overall scale would appear as an overly prominent and incongruous addition to the area. Whilst the buildings and infrastructure on either side of the road are significant features within the streetscene, the space in between, occupied by the road and footpaths, is open and spacious with only a minimal amount of street furniture in the immediate area. Therefore, the proposed development would be a dominant feature within the streetscene, adding to the visual clutter, to the detriment of the character and appearance of the area.
8. It is noted that the appellant intends to remove an existing telephone kiosk to ensure that the proposal does not add to the existing street furniture in the area. However, the kiosk identified is some distance away from the appeal site and in a materially different setting. Therefore, it is not considered that this would be a like for like replacement in terms of the impact upon the streetscene.
9. The proposed advertisements in Appeal B are located on either side of the hub and would be large additions to the streetscene, with a prominent location and appearance along with illuminated screens adding to this visibility. Whilst advertising screens of this size may be commonplace in busy city locations such as this one, there are no similar features in the area immediately surrounding the appeal site, with the immediate area having a fairly traditional seaside feel with limited examples of freestanding modern digital advertisements. Therefore, the proposed advertisement screens would appear as incongruous additions and would dominate the streetscape to the detriment of visual amenity.
10. The appeal site is located outside of, but within close proximity to, the Clifftown Conservation Area. As it is outside of the boundaries of this Conservation Area, the statutory duty within Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended does not apply. However, the proposed development would still be located within the setting of this designated heritage asset. From my observations on site, it would appear that the significance of the Conservation Area relates, in part, to its historic nature and attractive appearance of the buildings within it. The appeal site forms part of a main thoroughfare heading into and out of the Conservation Area and therefore forms part of the historic environment of the area. Its prominent location and its open and uncluttered nature makes a positive contribution to the setting of the Conservation Area as a whole.

11. The appellant contends that the setting of the Conservation Area would not be impacted by the proposed development to any demonstrable degree. However, due to its scale and positioning, it would be a noticeable feature when viewed from within the designated heritage asset. It would also be a highly visible addition when looking towards the entrance to the Conservation Area from Marine Parade and would therefore be viewed alongside the historic buildings within it. As outlined above, the proposed development and the proposed advertisements in Appeals A and B would be dominant additions to the streetscene due to their scale and prominence along with the current uncluttered nature of the pavement in this location. The presence of the proposal would result in visual clutter within the area and would erode the current open nature of this section of the pavement, detracting from the overall historic setting of the Conservation Area when entering or exiting from Marine Parade and Pier Hill.
12. Adjacent to the appeal site are the grade II listed buildings, 1-3 Marine Parade and 4 Marine Parade. From the information provided and from observations during the site visit, it appears that their significance is derived, at least in part, from the antiquity of their structure and from their status as a well preserved examples of vernacular buildings of their age and type. The appellant contends that these buildings are listed due to their architectural features and not based on the character of the area. However, their historic setting on Marine Parade and within the Clifftown Conservation Area, in this busy seafront location, does contribute to how this asset is appreciated and this setting makes a positive contribution to the significance of this listed building.
13. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker, in considering whether to grant planning permission for the development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any feature of special architectural or historic interest.
14. The appeal site is located in close proximity to these listed buildings with the proposed development located on the open section of pavement in front of them. Whilst they are large buildings and the proposal would not obstruct any key views of them, the modern appearance of the proposed hub and the modern nature of the advertisements, in this prominent location, would alter their historic setting. It is noted that the area surrounding these listed buildings does include significant infrastructure and modern additions which dominate the setting, including within the theme park opposite. However, the proposal would be located directly adjacent to these listed buildings, in an area which is largely open and unobstructed. Therefore, it would have a greater impact upon the setting of these heritage assets than other surrounding features and would detract from their individual setting.
15. The Council also cite harm to the locally listed and local landmark building, the Park Inn Palace Hotel, a non-designated heritage asset. It is a building of significant height and scale, which occupies a prominent position on the seafront. However, this building is well separated from the appeal site and therefore the proposals in Appeal A or B would not impact upon the setting of this building.
16. Nevertheless, for Appeal A, whilst the proposed development would not harm the setting of the non-designated heritage asset, the Park Inn Palace Hotel, it would harm the settings of the nearby grade II listed buildings, 1-3 Marine Parade and 4 Marine Parade, the setting of the Clifftown Conservation Area and would harm the

overall character and appearance of the surrounding area. Therefore, it would conflict with Policies KP2 and CP4 of the Southend on Sea Core Strategy Development Plan Document 1 (the CS) 2007 and Policies DM1, DM3 and DM5 of the Southend on Sea Development Management Document (the DMD) 2015. These policies collectively seek to ensure that all new development is well designed, respects the character and scale of the existing site, neighbourhood and its local context and provides appropriate detailing that contributes to and enhances the distinctiveness of place, whilst safeguarding and enhancing the historic environment.

17. In relation to Appeal B, the proposed advertisement would harm visual amenity and would therefore conflict with paragraph 141 of the National Planning Policy Framework and The Town and Country (Control of Advertisements) (England) Regulations 2007 (as amended) which states that advertisements should be subject to control in the interests of amenity and public safety. I have taken into account Policies KP2 and CP4 of the CS and Policies DM1, DM3 and DM5 of the DMD which seek to protect amenity and so are material in this case. Given I have concluded that the proposed advertisement would harm amenity, the proposal would also conflict with these policies as outlined above.
18. Due to the scale of the proposal, having regard to the Framework, the harm to the significance of the aforementioned grade II listed buildings is less than substantial. The Framework requires, where there would be less than substantial harm, for it to be balanced against the public benefits of the scheme.
19. The proposal is for a hub which provides various public uses including free access to Wi-Fi, device charging, access to public services, free phone calls and direct emergency call button. The hub also includes the ability to display council advertising, community and emergency awareness messaging, free advertising for local businesses and could include environmental sensors to measure air quality etc. The appellant states that these features are at no cost to the local community or council. It is also noted that the hub would be powered by 100% renewable, carbon-free energy.
20. Whilst these would undoubtedly be public benefits from the proposal, due to the scale of the scheme as a single hub unit, these benefits would be minimal and therefore are given limited weight. For this reason, the public benefits of the scheme would not outweigh the less than substantial harm to the heritage asset previously identified.

Other Matters

21. The appellant has indicated that the National Planning Policy Framework supports this type of new digital infrastructure and that the principle of the development of such infrastructure is also supported by Policy CP6 of the CS. However, whilst the principle of the development may be supported by local and national policy this would not outweigh the harm that I have identified.
22. In their appeal statement, the appellant has highlighted a number of appeal decisions¹ for similar forms of development where the Inspector did not agree with the Council's objections. However, these examples are all in different settings to

¹ Refs: ADA-180-2017, APP/J2372/H/22/3305072, APP/C1055/Z/22/3292477, APP/G5180/Z/22/3292316, APP/C1055/Z/22/3292557 and APP/Y5420/W/22/3311407.

the location of the appeals before me and therefore have little impact on my consideration of these two cases.

Conclusion

23. Therefore, for the reasons given above and having had regard to all other matters raised, the proposal would conflict with the development plan taken as a whole and I conclude that Appeal A and Appeal B should be dismissed.

E Grierson

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/D1590/W/25/3366225	BT Group PLC
Appeal B	APP/D1590/H/25/3366228	BT Group PLC