



Appeal Decisions

Site visit made on 9 September 2025

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 08 October 2025

Appeal A Ref: APP/W1525/W/25/3366800

Footpath Outside Dukesmead House, 39 High Street, Chelmsford CM1 1BE

- 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 Chelmsford City Council.
 - The application Ref is 25/00192/FUL.
 - The development proposed is Installation of BT Street Hub and Associated Display of Advertisement Panels to Both Sides of the Unit.
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Appeal B Ref: APP/W1525/H/25/3366801

Footpath Outside Dukesmead House, 39 High Street, Chelmsford CM1 1BE

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by BT Group PLC against the decision of Chelmsford City Council.
 - The application Ref is 25/00193/ADV.
 - The advertisement proposed is an illuminated 75" LCD display screen, one on each side of the BT Street Hub.
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Decision

1. The appeal is allowed, and planning permission is granted for the installation of BT Street Hub and associated display of advertisement panels to both sides of the unit, at footpath outside Dukesmead House, Chelmsford, CM1 1BE in accordance with the terms of the application, Ref 25/00192/FUL, 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 drawing numbers: CHL-103 Rev A, Existing Site Plan and Location plan; CHL-103 Rev A – Proposed Site Plan; CHL-103 Rev A – Existing Elevations; CHL-103 Rev A – Proposed Elevations; Anti-Social Behaviour Management Plan; Product Statement; Professional Lighting Guide; Unit Dimensions; Photomontage.
2. Appeal B is allowed, and express consent is granted for the display of an illuminated 75" LCD display screen, one on each side of the BT Street Hub at footpath outside Dukesmead House, 39 High Street, Chelmsford CM1 1BE in accordance with the terms of the application, 25/00193/ADV. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional condition:

- 1) The maximum luminance of the LCD Digital Advertising Display shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5/23.

Preliminary Matters

3. Appeal A concerns the refusal of planning permission to erect a BT street hub. Appeal B concerns the refusal of express consent to display advertisements on the street hub. I have considered each on its own merits. However, as they raise similar issues, both appeals are combined within the same decision.

Main Issues

4. The main issues for Appeal A and B are:
 - the effect of the proposal on the character and appearance/visual amenity of the surrounding area, with particular regard to the Chelmsford Central Conservation Area and the adjacent Grade II listed buildings, 56-57 and 58-59 High Street; and
 - the effect of the proposal on public safety, with particular regard to pedestrian flow.

Reasons

Character and appearance/Visual amenity

5. The appeal site is located on a wide pedestrianised High Street, within the Chelmsford Conservation Area (CA). This section of the high street has active commercial frontages with limited interventions by street furniture. Fixed items include benches, phone boxes, lampposts, electrical boxes and a digital advertisement display.
6. The CA encompasses the heart of Chelmsford, including parts of the high street. Insofar as it relates to these appeals, the CA derives significance from its historic street patterns, including public open spaces and its active commercial and retail frontages. As such, the relatively uncluttered nature of the appeal site makes a positive contribution to the setting of the CA.
7. Shopfronts along the high street are variable in quality with the prevailing character in the vicinity of the appeal site being modern with large fascia signage. The site forms part of the setting of an adjacent row of Grade II listed buildings, including 56-57 and 58-59 High Street. Insofar as they relate to these appeals, the significance of these listed buildings relates to their architectural detailing and historic links to retail.
8. The proposal would replace two adjacent telephone boxes including fixed advertisements. Whilst the hub would be positioned slightly towards the north, with a larger height and width compared to the telephone boxes, it would sit comfortably in line with the retained street furniture, including the adjacent bench and electrical box. It would be no more dominant than the removed telephone boxes and the fixed advertisements. There would be sufficient separation from the adjacent shop fronts with a narrow depth so as not to harmfully affect the visibility of the businesses, nor would the hub hinder interaction or obstruct key views at the nodal point.

9. Whilst there is an existing digital display to the south, due to the separation distance and the removal of the fixed advertisements on the telephone boxes the proposed hub would not harmfully increase visual noise. Moreover, due to its position and slimline design, the proposed hub and advertisements would be in keeping with the vibrant retail frontages along the High Street and therefore would preserve the character and appearance of the CA.
10. Further, the hub would be located towards the east of the High Street away from the adjacent listed buildings with the slim edge facing their facades. Consequently, the hub would not be readily observed in relation to the listed buildings and its height would not impede views of their facades. As such, the development in both Appeals would preserve the setting of the adjacent listed buildings, No 56-57 and 58-59 High Street.
11. Reference is made to the hub infringing upon opportunities for positive use of the High Street. However, due to its position towards the edge of the High Street, and its relationship with existing street furniture, I do not find that it would negatively affect the use of the space for markets, or other events.
12. The Chelmsford Town Centre Public Realm Strategy SPD (SPD) aims to reduce street clutter by grouping street furniture wherever possible. Given that the proposals are close to and in line with the existing street furniture, the hub would comply with the aims of the SPD.
13. Therefore, I conclude that the development in Appeal A and Appeal B would not harm the character and appearance of the area, with particular regard to the CA and the adjacent Grade II listed buildings. The development in both appeals would accord with policies DM13 and DM23 of the Chelmsford Local Plan (May 2020) (CLP). Amongst other things, these policies seek to preserve or enhance the character of conservation areas, retain the significance of heritage assets and respect the character and appearance of the area.

Public safety/pedestrian flow

14. The hub would be positioned in line with existing street furniture. A sufficient gap would remain between the hub, other nearby street furniture and the adjacent shop fronts, which would allow people to move freely. Notwithstanding the hubs position near to the town sign node, the hub would not impact on pedestrian flow, nor would it increase the risk to visually impaired pedestrians.
15. Therefore, I conclude that the development in both Appeals A and B would not harm public safety with particular regard to pedestrian flow. The proposed hub and advertisements would accord with Policy DM23 of the CLP, which requires development to create safe, accessible and inclusive environments.

Other Matters

16. The Council refer to a Public Spaces Protection Order (PSPO) which prohibits A-boards and advertising structures in the city centre. However, the PSPO does not prevent planning permission and advertisement consent from being sought.

Conditions

17. I have had regard to the Council's suggested conditions and the six tests. For Appeal A, in addition to the standard time condition, a condition is required to specify the approved plans and documents to ensure clarity.

18. In Appeal B, in addition to the standard five conditions set out in Schedule 2 of the 2007 Regulations, a condition to restrict the level of luminance is necessary to ensure that the advertisement is not overly bright and the character and appearance of the CA is preserved.

Conclusion

19. For the reasons given above, I conclude that the Development in both Appeal A and Appeal B would accord with the development plan as a whole and the Framework, and therefore both Appeal A and B are allowed.

K Allen

INSPECTOR