



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: 9TH October 2025

Appeal A Ref: APP/W1525/W/25/3365852

Footpath Outside 15A Exchange Way, Chelmsford CM1 1XB

- 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 25/00190/FUL.
 - The development proposed is the installation of 1 No. BT Street hub and associated advertisement panels to both sides of the unit.
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Appeal B Ref: APP/W1525/H/25/3365853

Footpath Outside 15A Exchange Way, Chelmsford CM1 1XB

- 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 25/00191/ADV.
 - The development proposed is an illuminated 75" LCD display screen, one on each side of the BT Street Hub.
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Decision

1. Appeals A and B are dismissed.

Preliminary Matters

2. 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

3. 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 effect of the proposal on public safety, with particular regard to pedestrian flow.

Reasons

Character and appearance/visual amenity

4. The appeal site is located within a pedestrianised area, known as Exchange Square. Exchange Square is a busy thoroughfare. It provides access to the High Chelmer shopping centre in the south, with numerous restaurants including outdoor seating areas lining its east and west aspects.
5. Aside from the restaurant seating areas, there is a small number of other items of street furniture, including lampposts, a bench, dustbins and directional signage. Nevertheless, these are restrained in scale and design and positioned to be unintrusive. 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.
6. The appeal site is located outside of, but adjacent to, the Chelmsford Central Conservation Area (CA), particularly Tindal Square. The CA encompasses the heart of Chelmsford, including the Cathedral and 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 uncluttered nature of the appeal site makes a positive contribution to the setting of the CA.
7. The proposed development in Appeal A includes a 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.
8. Although the adjacent restaurants and seating areas on either side of Exchange Square are significant features within the streetscene, the space in between, is open and spacious with only a minimal amount of street furniture. 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.
9. It is noted that the appellant intends to remove two existing telephone boxes to ensure that the proposal does not add to the existing street furniture in the area. However, the boxes identified are some distance away from the appeal site and in a materially different setting. Therefore, I do not consider that the proposed hub would be a like for like replacement in terms of the impact upon the streetscene.
10. 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 no nearby 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.
11. Further, the street hub of an imposing scale and bulk would be observed within the context of the CA. As described above, the development in both Appeal A and B

would be dominant features of the streetscene and contribute to the visual clutter, thereby failing to preserve the setting of the CA. It would cause a low level of less than substantial harm to its significance.

12. Paragraph 215 of the Framework requires that where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal. As I set out below, the public benefits of the scheme include public internet services, calls to emergency services, housing for environmental sensors and the display of local notices. Overall, I find that the great weight I attach to the identified harm with respect to the designated heritage asset would not be outweighed by the benefits of the proposal and the proposal would conflict with the Framework.
13. Therefore, in relation to Appeal A, I conclude that the proposal would harm the character and appearance of the area, with particular regard to the CA. There would be conflict with Policies DM13 and DM23 of the Chelmsford Local Plan (May 2020)(CLP). These policies collectively seek to ensure development respects the character and appearance of the area and preserves or enhances conservation areas.
14. With regards to Appeal B, the proposal would have an unacceptable effect on the visual amenity of the surrounding area. The same development plan policies as above have been considered as far as they are material, and in this respect, the scheme would conflict with the development plan.

Public safety/pedestrian flow

15. Exchange square is lined by a number of restaurants and provides access to the High Chelmer shopping centre. It is therefore likely to receive a high number of pedestrians along its main north/south axis. The square narrows towards the shopping centre entrance.
16. Whilst the hub would be slim in one dimension, it would be wide in the other and cause a notable obstruction on the route in question, which is already reduced in width by the restaurant seating areas.
17. The second reason for refusal provided in relation to Appeal B cites the effects of the hub on pedestrian movement. This is an effect of the proposed hub, rather than of the advertisement.
18. Whilst I find that the advertisements subject of Appeal B would not harm public safety, in respect of Appeal A, the development would have a harmful effect on public safety with particular regard to pedestrian flow. There would be conflict with Policy DM23 of the CLP, which requires development to create safe, accessible and inclusive environments.

Other Matters

19. The development would use renewable energy to provide services including 4G and 5G coverage, Wi-Fi connection, free phone calls to emergency services, and USB ports for rapid device charging. I see no reason to doubt that it would be well-maintained. These are public benefits, and would contribute towards advanced, high quality and reliable communications infrastructure, which the Framework states is essential for economic growth and social well-being.

20. The hub would also be a facility from which other technologies may be deployed to capture environmental data and measure air quality. Local notices and information could be displayed on the screens. Whilst I acknowledge the benefits listed above, I have little to demonstrate unmet local need for any of the services that would be supplied, or to show that similar facilities could not be provided without the proposed development.
21. The appellant has directed me to several appeal decisions. Whilst some decisions do share similarities with the appeals before me in terms of the type of development proposed and their locations within or adjacent to conservation areas, they are a substantial distance away where the context would not be the same. As such, they do not lead me to an alternative conclusion in this case.

Conclusion

22. For the reasons given above, the proposal under Appeal A would conflict with the development plan, as a whole, and there are no material considerations, including the provisions in the Framework and the benefits of the proposal, which indicate that the development should be determined other than in accordance with it. The development in Appeal B would harm the visual amenity of the surrounding area. Therefore, both Appeal A and B are dismissed.

K Allen

INSPECTOR