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## Appeal Decisions

Site visit made on 28 October 2025

**by A Caines BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 10 November 2025**

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### **Appeal A Ref: APP/Q0505/W/25/3372899**

#### **Pavement o/s 58 Regent Street, Cambridge**

- 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 Mr Simon Warner (BT Telecommunications Plc) against the decision of Cambridge City Council.
  - The application Ref is 25/02504/FUL.
  - The development proposed is installation of 1no. BT Street Hub and removal of associated BT payphones.
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### **Appeal B Ref: APP/Q0505/H/25/3372900**

#### **Pavement o/s 58 Regent Street, Cambridge**

- 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 Mr Simon Warner (BT Telecommunications Plc) against the decision of Cambridge City Council.
  - The application Ref is 25/02505/ADV.
  - The advertisements proposed are 2no. digital 75" LCD display screens, one on each side of the Street Hub.
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## **Decisions**

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

## **Preliminary Matters**

3. 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 relation to appeal B, the Regulations regarding advertisements require that decisions be made solely in the interests of amenity and public safety. The development plan policies referred to by the Council are therefore not determinative in relation to this appeal, but I have taken them into account as a material consideration where relevant to the matters under consideration.
5. Although the Council's reasons for refusal do not refer to the Central Conservation Area, the site lies within it and I am therefore required to have special regard to the statutory duty under section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## Main Issues

6. For Appeal A, the main issues are:

- The effect of the proposal on the character and appearance of the area, including the Central Conservation Area;
- The effect of the proposal on the living conditions of nearby residential occupiers, with particular regard to light and noise intrusion;
- The effect of the proposal on highway safety;
- Whether the proposal would accord with sustainability objectives.

7. For Appeal B, the main issues are:

- The effect of the advertisements on visual and residential amenity;
- The effect of the advertisements on public/highway safety.

## Reasons

### *Character and Appearance/visual amenity*

8. The Central Conservation Area (CA) encompasses Cambridge's historic core and derives part of its significance from the quality of its built form, the relationship between buildings and spaces, and the restrained character of its public realm. Regent Street forms part of this context, with its mix of commercial frontages and historic buildings contributing to the area's visual interest and heritage value. It is identified in the Cambridge Historic Core Appraisal (2016) as a "Significant Street" and an important approach to the city from the south.
9. The appeal site comprises part of the pavement outside 58 Regent Street. The pavement is approximately 4 metres wide at this point, but its effective width is significantly constrained by a number of well-used bicycle racks. These, in combination with other items of street furniture in the vicinity, including lighting columns, traffic signage and bins, results in a visually cluttered streetscape.
10. The Street Hub would be a solid, freestanding structure with digital screens on both sides. It would be noticeably bulkier than any existing street furniture in the vicinity. Unlike the subtle fascia-level signage typical of the area, the illuminated digital screens with sequential changing images would introduce a prominent and conspicuous form of advertising into a part of the street where such displays are currently absent.
11. Although the siting of the unit would broadly align with existing street furniture, the cumulative effect of the proposed structure in this already constrained and visually busy part of the pavement would be to introduce further visual intrusion and physical clutter. The presence of bicycles at the racks exacerbates the sense of congestion and visual disorder. In this context, the addition of a solid structure with illuminated screens would appear incongruous and visually disruptive, causing harm to the character and appearance of the street scene.
12. While the Conservation Officer did not object and the Council did not cite harm to the CA in its reasons for refusal, the site lies within the designated area and the statutory duty under S72(1) of the Planning (Listed Buildings and Conservation

Areas) Act 1990 must be applied. The proposal, by reason of its siting, bulk, and the introduction of digital advertising would appear as a visually assertive and alien feature within a sensitive part of the public realm, where the prevailing character is defined by modest, low-level street furniture and restrained signage. It logically follows that the harm to the street scene would fail to preserve or enhance the character or appearance of the CA. Even though this harm would fall at the lower end of the spectrum of less than substantial harm, any harm to a designated heritage asset is a matter of considerable importance and weight.

13. The appellant offers the removal of three existing BT phone kiosks elsewhere within the CA, which are said to be in poor condition and no longer fit for purpose. Their removal would result in a modest reduction in street furniture and visual clutter across the CA as a whole. However, these kiosks are located on separate sites, some distance from the appeal location, and fall outside the red line boundary of the applications. As such, they do not form part of the land to which the applications relate. A condition requiring the removal of structures on unrelated land would not meet the tests of necessity, relevance, and enforceability set out in paragraph 57 of the National Planning Policy Framework (the Framework). While the appellant is a statutory service provider and has indicated an intention to remove the kiosks voluntarily, such assurances do not provide the degree of certainty required to attribute significant weight to this benefit. In the absence of a binding mechanism to secure their removal, I am unable to attribute more than limited weight to this potential benefit.
14. Further public benefits highlighted in the application include free Wi-Fi, wayfinding, small cell 5G coverage, device charging, emergency services contact and environmental monitoring capabilities, amongst other things. I also recognise the support in the Framework for the expansion of electronic communications networks including 5G mobile technology. However, the proposal forms part of a wider city-wide initiative and the benefits arising from a single unit in this location would be modest. While such features may contribute to digital connectivity and public services in general terms, their value must be weighed against the site-specific impacts identified in this case.
15. Overall, I find that the public benefits arising would not be sufficient to outweigh the less than substantial harm that would be caused to the CA.
16. I therefore conclude that the Street Hub and its digital advertisement displays would be harmful to visual amenity and would fail to preserve or enhance the character or appearance of the CA. Consequently, and although they are not determinative in relation to Appeal B, there is conflict with Policies 10, 25, 55, 65 and 84 of the Cambridge Local Plan (CLP) (2018), in so far as they require new development to respond positively to the character of the local area, ensure public realm is attractive and free from clutter, and preserve and enhance the historic environment.

#### *Living conditions/residential amenity*

17. The Street Hub would be located at street level in a busy commercial environment, which includes nighttime uses. Residential accommodation in the vicinity is confined to some upper floors of nearby buildings. The appellant has provided information indicating that the LCD screens would operate in accordance with relevant industry standards, displaying static images with no moving content, and incorporating automatic dimming in response to ambient light levels. These matters

could be controlled by conditions. Moreover, the screens themselves would be modest in size and would not directly face any nearby residential windows. As such, the potential for light intrusion would be minimal.

18. Concerns have also been raised regarding potential noise emissions from the unit, including from its speakers, internal equipment and cooling systems. However, the information before me indicates that the operational volume of the speakers would not exceed 60dB at a distance of 1 metre, and that internal equipment noise would be limited to 41dB during the day and 35dB at night at a distance of 3 metres. Given the commercial context and ambient street noise typical of the area, these levels are unlikely to be intrusive at the nearest residential units. Moreover, while voice calls may occur at the unit, their frequency and duration are expected to be limited, particularly given the widespread use of mobile phones now. Subject to appropriate conditions controlling the operation of the speakers and any mechanical equipment, I am satisfied that the proposal would not harm the living conditions of nearby residents through noise disturbance.
19. For all these reasons, I conclude that the proposal would not be harmful to the living conditions of nearby residents in terms of noise or light intrusion, and would comply with the residential amenity objectives of Policies 11, 34 and 35 of the CLP.

#### *Highway/public safety*

20. The Street Hub would be located on a well-lit, straight section of Regent Street, where traffic speeds are relatively low and the surrounding environment is predominantly commercial. Although the pavement is constrained by existing street furniture, the unit would be positioned in alignment with bicycle racks and would not further impede pedestrian movement. The digital screens would be modest in size and would display static images only, with no moving content. Brightness levels, as well as the speed and frequency of image changes, could be controlled by condition to minimise distraction. There is no substantive evidence before me to suggest that the proposal would interfere with the legibility of traffic signals or signs, and the absence of complex junctions or pedestrian crossings in the immediate vicinity further reduces the likelihood of adverse impacts on highway safety.
21. For all these reasons, I conclude that the proposal would not result in harm to public or highway safety and would comply with the relevant highway/public safety objectives of Policies 25, 34, 65 and 81 of the CLP.

#### *Sustainability (Appeal A)*

22. The Council has raised concern regarding the absence of detailed information demonstrating how the proposal would incorporate sustainable technologies or contribute to reducing energy demand. While the appellant asserts that the unit would be powered by renewable energy, the supporting information lacks sufficient detail to demonstrate compliance with Policy 28 of the CLP. On the evidence before me, I am unable to reach a definitive conclusion on whether the proposal would meet the relevant sustainability objectives. However, in light of my overall findings, this matter is not determinative.

#### **Other Matters**

23. The appellant has referred to various appeal decisions in support of the proposal. However, these relate to sites in other cities with differing physical and visual

contexts, including wider pavements and a greater prevalence of commercial advertising. Some involved the direct replacement of existing phone boxes at the same location, or were situated close to other freestanding advertisement units. Each proposal must be assessed on its own merits, having regard to the specific site context and the character of the surrounding public realm. I have considered the cited decisions, but they do not lead me to a different conclusion in this case.

## **Conclusion**

24. I have found that the proposals would cause harm to the character and appearance of the street scene/visual amenity and, by extension, to the significance of the Central Conservation Area. In respect of Appeal A, there is conflict with Policies 10, 25, 55, 65 and 84 of the CLP, and the modest public benefits would not outweigh the identified harm. Accordingly, both appeals should be dismissed.

*A Caines*

INSPECTOR