
Appeal Decisions

Site visit made on 2 December 2025

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 December 2025

Appeal A Ref: APP/N2345/W/25/3373411

Footpath opposite 223 New Hall Lane, Preston PR1 5XB

- 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 Verity Cheyne, BT Group PLC against the decision of Preston City Council.
 - The application Ref is 06/2025/0672 .
 - The development proposed is described as: '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/N2345/H/25/3373412

Footpath opposite 223 New Hall Lane, Preston PR1 5XB

- 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 Verity Cheyne, BT Group PLC against the decision of Preston City Council.
 - The application Ref is 06/2025/0673.
 - The development proposed is described as: 'Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the Unit'.
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Decision Appeal A

1. The appeal is allowed, and planning permission is granted for the installation of 1No. BT Street Hub Unit, at Footpath opposite 223 New Hall Lane, Preston PR1 5XB in accordance with the terms of the application, Ref 06/2025/0672, subject to the conditions in the attached schedule.

Decision Appeal B

2. The appeal is allowed, and express consent is granted for 2no. digital 75 inch LCD display screens, one on each side of the Street Hub unit, at Footpath opposite 223 New Hall Lane, Preston PR1 5XB in accordance with the terms of the application, Ref 06/2025/0673, dated 26 June 2025. 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 additional conditions set out in the attached schedule.

Preliminary Matters

3. I have taken the site address and description of development from the original application form. Appeal A seeks planning permission for the installation of a BT Street Hub unit. Appeal B seeks advertisement consent for the display of 2 digital display screens within the unit. I have therefore referred to the nature of the advertisements in my decision relating to appeal B above.

4. In respect of appeal B, the Regulations and National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. Regard does not need to be had to the development plan. Therefore, while I have taken relevant policies into account as a material consideration, they have not been determinative.
5. The Council also refers to an emerging Central Lancashire Local Plan, which was submitted for examination on 30th June 2025. I have not been supplied with a copy of the emerging Local Plan, the Council's reasons for refusal do not identify conflict with it. Therefore, my decision refers to the adopted Development Plan.

Main Issues

6. The main issue for appeal A is the effect of the proposed development upon the character and appearance of the area.
7. The main issue for appeal B is the effect of the proposed advertisement on the amenity of the area.

Reasons

8. The section of New Hall Lane nearest to the appeal site comprises two-storey buildings in mixed commercial and residential use, either side of a busy thoroughfare. It is noted as being a residential area on local plan policy maps. Commercial shopfronts and fascia signage are present on the ground floor of most buildings in the vicinity and are a prominent feature. Some of this signage is internally illuminated.
9. The footway is relatively wide and features public realm enhancements such as pavements, a refuse bin and a row of bicycle parking stands. The street furniture is positioned in alignment, on the outer, raised element of the footway, which is demarcated by a line of contrasting pavement stones. This gives the public realm an ordered, uncluttered appearance, within the wider commercial street scene.
10. The proposal would comprise a tall, slender, structure with illuminated screens on both sides, and would be of a contemporary design. The unit would be positioned in alignment with the existing street furniture, and there would be separation between it, the main footway and the buildings. Whilst tall, the proposal, including the advertisements, would be of a height, below that of the fascia signs nearby. Therefore as a whole, it would not appear out of proportion when seen in the foreground of the commercial premises. In this manner, rather than contributing to clutter, the unit and its advertising display would be harmonious with the ordered appearance of the street scene and would sit comfortably within the commercial setting.
11. The digital displays would be a unique feature in the locality. Particularly as there are no other similarly illuminated display features nearby. As such, I accept that the illumination of the screens and their changing displays would increase their visual prominence. However, it would be located in an area where commercial uses are established, and conditions limiting brightness of the display screens, as suggested by the Council, would ensure that its luminance would be within recommended guidance levels. Accordingly the advertisements would not be discordant.

12. Consequently, in respect of appeal A, I conclude that the proposed development would not harm the character and appearance of the area. It therefore accords with Policies EN9 and EP7 of the Preston Local Plan, 2012-26, Site Allocations & Development Management Policies (Local Plan). Amongst other things, the policies requires the impact on the character or appearance of surrounding areas to be minimised in respect of telecommunications, and opportunities taken to make a positive contribution to the area.
13. In respect of appeal B, I conclude that the proposed advertisement would not harm the amenity of the area, having regard to paragraph 141 of the Framework. I have also taken into account the abovementioned policy EN9 of the Local Plan, and the advertisement would not conflict with this policy.
14. In coming to these findings, I have also had regard to the Central Lancashire Design Guide, Supplementary Planning Document, 2012 (SPD), which seeks to ensure good design through design principles.

Other Matters

15. The unit would be sited on a demarcated part of the footway, which is already restricted in the usable surface available to pedestrians, due to the presence of existing street furniture, and traffic signal poles. Whilst it would occupy a wider space due to its proportions, it would not be sited within the adjacent main pedestrian pavement area, which is free from street furniture and obstacles, and is of proportions akin to normal pavement widths. The main pedestrian pavement area, is also aligned with the tactile paved crossing points, thus steering pedestrians, including mobility impaired and partially sighted users, into the main footway, other than in the vicinity of the controlled crossing point. For these reasons, and in the absence of evidence to the contrary, the proposed unit and associated advertisements would not noticeably alter, impede or obstruct pedestrian movements or result in harm to pedestrian safety having regard to all pedestrian footway users.
16. It is not shown that the proposal would cause conflict between pedestrians and cyclists. There is no compelling evidence that pedestrians would be forced into the road as a result of the unit's siting. Moreover, given the intervening distance, height, and offset position of the pedestrian traffic signals, they would still be widely visible to car drivers along a significant length of road.
17. The Council, whilst observing that footway width would reduce, has not raised concerns in respect of public safety, and the Highway Authority also raised no objections. For the reasons given, I see no reason to disagree.

Conditions

18. The Council has suggested conditions, which I have considered against the National Planning Policy Framework tests and Planning Practice Guidance. For appeal A, in addition to the standard time limit for implementation condition, it is necessary to specify the approved plans and documents in the interests of certainty.
19. In respect of appeal A, I have not imposed a condition restricting materials to those referenced in the appeal submission. It is unnecessary as the materials have been adequately described.

20. I have also not imposed a condition on appeal A, requiring the removal of the telephone booths located close to 1 Arnhem Road, and 256 to 280 Ribbleton Lane. These booths are outside of the appeal site, and a condition would fail the test of relevance to the development to be permitted. Neither would it have been otherwise necessary to refuse the whole permission.
21. In respect of appeal B, in the interests of visual amenity and public safety, the illumination of the advertisement is limited by conditions relating to level of intensity and ambient environment control. For similar reasons conditions are applied to control the static nature, display, visual effects and transition between advertisements.
22. A condition is also added in respect of appeal B, to ensure no adverts resemble traffic signs in the interests of highway safety.

Conclusion

23. For the reasons given above and having regard to all other matters raised, I conclude that appeal A would accord with the development plan as a whole and therefore appeal A should be allowed.
24. In respect of appeal B, for the reasons given above, I conclude that the appeal should be allowed and express consent granted, subject to the five standard conditions set out in the Regulations and the additional conditions set out in the schedule below.

E Heron

INSPECTOR

SCHEDULE OF CONDITIONS

Appeal A

- 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 the following drawing no's and documents:
 - Proposed Site Plan (dwg. no. 002)
 - Propose Site Elevation (dwg. no. 004)
 - Street Hub Dimensioned Elevations (dwg. no. STH-001)
 - Existing and Proposed Views (dwg. no. PST-105)

Appeal B

- 1) The intensity of the illumination of the two digital display screens shall not exceed 600 candelas per square metre (cd/m²) between dusk and dawn in line with the maximum permitted recommended luminance as set out by 'The Institute of Lighting Professional's 'Professional Lighting Guide 05: The Brightness of Illuminated Advertisements'.
- 2) The digital display screens shall not display any moving, or apparently moving images (including animation, flashing, scrolling three dimensional, intermittent or video elements).
- 3) The minimum display time for each piece of content on the digital display screens shall be 10 seconds. The interval between each piece of content on the digital display screens shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays, and the display will include a mechanism to freeze the image in the event of a malfunction or turn off the screen (i.e. show a black screen).
- 4) The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level.
- 5) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

**** END OF SCHEDULE ****