



Appeal Decisions

Site visit made on 16 December 2025

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 December 2025

Appeal A Ref: APP/A2335/H/25/3374306

Footpath Outside Sainsburys Supermarket, Cable Street, Lancaster LA1 1HH

- 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 Lancaster City Council.
 - The application Ref is 25/00688/FUL .
 - 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/A2335/W/25/3374305

Footpath Outside Sainsburys Supermarket, Cable Street, Lancaster LA1 1HH

- 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 Verity Cheyne, BT Group PLC against the decision of Lancaster City Council.
 - The application Ref is 25/00689/ADV.
 - 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 dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. In my heading above, I have taken the description of development from the original application form used for both proposals. Appeal A seeks planning permission for the installation of a Street Hub Unit with digital display panel, mounted on the pavement. Appeal B seeks advertisement consent for the display of two illuminated digital display screens within the apparatus.
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.

Main Issues

5. The main issue with respect to appeal A is the effect of the proposed development on the character and appearance of the area.
6. The main issue with respect to appeal B is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

7. The proposal would be sited on a footway on the north side of a wide, busy, one-way thoroughfare. The area has a mixed commercial, community and residential usage. Whilst buildings range in height, age and style, they are harmonious in their appearance, through the use of stone, slate, and materials of similar texture and colour. Stone walls enclose car parks, and a historic building façade and similarly detailed extension, function as a supermarket side elevation. Advertisements within the appeal site's context are few in number, small-scale and limited to premises signage and a shopfront display. There are wide footways, street trees, contrasting paving slabs, and street furniture is unobtrusively sited adjacent to buildings. Taking all these elements together, even though the site sits within a commercial context and there is a large road sign nearby, the street scene has an uncluttered, spacious and harmonious appearance.
8. The proposal would comprise a tall, freestanding structure with illuminated advertisement display screens of a contemporary design. Its height, appearance, and prominent position at the outer edge of the footway, would emphasise its presence in the street, eroding spaciousness, and introducing clutter. The alignment with the existing street trees would not overcome this harm. Instead, as the unit would partially block and disrupt views of the trees it would diminish their softening effect. Overall, the proposal would be discordant with the otherwise harmonious street scene.
9. A considerable portion of the structure would be illuminated and would feature sequential images. Standalone displays of a similar size are not common in the immediate vicinity. Considering this, and despite luminance, timing and image controls, which could be secured via conditions, it would appear as an intrusive and incongruous feature, at odds with the scale and form of other advertisements within its context. This would be exacerbated on darker days, and evenings, when the illuminated display would be more pronounced.
10. There is a bus stop, situated on Parliament Road, which features advertisements. However, even though the appeal site and the bus stop are capable of being viewed within the same limited vantage point, there is a substantial distance between the two, which I am told is 110 metres. Moreover, the bus stop is sited on a different street with different characteristics. Therefore, the presence of the advertisements within the bus stop is not directly comparable, nor does it serve as justification for allowing harmful development and advertisements.
11. I am referred to the removal of two existing telephone kiosks comprising one opposite 13 Bulk Road, and one outside of 101-103 Ullswater Road. The appellant considers that the strategy of decluttering of footways in the wider area would mitigate the impact of the appeal proposal. Both of these sites are a considerable distance from the appeal site, such that any visual de-cluttering of those roads

would have no effect on the context of the appeal site. Accordingly this matter does not outweigh the harm I have found.

12. The appellant has drawn my attention to other appeal decision examples¹, in which Inspectors have found that similar structures had an acceptable effect on amenity and the character and appearance of the area. However, there is nothing before me to demonstrate that these are comparable in context to the appeal site. As such I attribute limited weight to these examples.
13. Accordingly, in respect of appeal A, I find that the proposed development would result in unacceptable harm to the character and appearance of the area. As such it would conflict with policies DM21, DM26, DM29 and DM59 of A Local Plan for Lancaster District, 2020-2031, plan period 2011-2031, Part Two: Development Management Development Plan Document (climate emergency review), 2025 (development plan). Together these policies seek high quality design including in relation to advertisements and telecommunications infrastructure, amongst other things.
14. In respect of appeal B, I have taken account of the provisions of the development plan, so far as they are material in respect of amenity. In this case, the aforementioned policies DM21 and DM29. I also find that the advertisement would fail to satisfy the requirements of paragraph 141 of the Framework, which seeks control of advertisements to ensure the quality and character of places does not suffer.

Other Matters

15. The hub unit would provide access to free telephony, wi-fi, charging facilities, improved 4G/5G coverage and the ability to provide community and emergency messaging. The unit would also run from renewable carbon-free energy. The strategic roll-out of the Street Hub program is concurrent with a program of telephone kiosk removals. I have also been told that free hours of advertising and messaging would be made available to the Council, and discounted rates for local business groups. Also that the hub unit would be capable of housing data collection sensors in relation to air quality and traffic management, amongst other things. These are social, economic and environmental benefits of the proposal. Nevertheless, these matters, nor the lack of harm to highway safety outweigh the harm I have identified, would be caused to the character and appearance of the area, and visual amenity.
16. There would be noise limiting measures, anti-social behaviour restrictions and regular cleaning, monitoring and inspection of the unit. However these are neutral points, which do not mitigate for the visual amenity harm I have identified.
17. Whilst the proposal may indirectly provide street lighting from the display illumination, it is not shown that any additional lighting for public safety purposes is required. The street already benefits from existing lamp post lighting.
18. The appellant contends that the location has been selected with a view to creating connections with other street hubs such that roaming can take place with uninterrupted connectivity. However, no information pertaining to the location of other hubs is before me. Moreover, section 2.1 of the Planning Statement states

¹ APP/Z5630/H/3209488; APP/N5090/Z/22/3296138; APP/J2373/H/22/3305026; APP/Q4245/W/25/3363934;

that one hub unit is proposed in the strategic package of applications for installations within Lancaster. This limits the weight I attribute to this matter.

Conclusion

19. For the reasons set out above, both appeal A and appeal B should therefore be dismissed.

E Heron

INSPECTOR