



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/25/3373409

Footpath outside 100 New Hall Lane, Preston PR1 4DT

- 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 06/2025/0670 .
 - The development proposed is described as the 'installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of the unit'
-

Appeal B Ref: APP/N2345/H/25/3373410

Footpath outside 100 New Hall Lane, Preston PR1 4DT

- 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 06/2025/0671.
 - The development proposed is described as the 'installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of the unit'
-

Decision Appeal A

1. The appeal is allowed, and planning permission is granted for the installation of 1No. BT Street Hub Unit, at Footpath outside of 100 New Hall Lane, Preston PR1 4DT in accordance with the terms of the application, Ref 06/2025/0670, 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 outside of 100 New Hall Lane, Preston PR1 4DT in accordance with the terms of the application, Ref 06/2025/0671, dated 27 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 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 and the Council's reasons for refusal do not identify conflict with it. Therefore, my decision refers to the adopted Development Plan.
6. Centenary Mill is opposite the site and is a grade II listed building. I have a duty under section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the building or its setting.

Main Issues

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

Reasons

9. The appeal site is located on New Hall Lane. It is noted as being a residential area on local plan policy maps and is in mixed commercial and residential use. As it is a generally busy and built-up area, it is urban in character. The backdrop of the appeal site is one of substantial buildings with expansive frontages. There is a modern building to the south of the site set behind a low-level hedge and car park. Despite its setback position, its large, colourful, premises advertisements are prominent features within the street scene. Within the wider context, are other bright shopfront signs, tall freestanding structures with large advertisements, a bus shelter with associated advertising, and lamp post banners.
10. In the vicinity of the appeal site the public footway is wide, with little in the way of street furniture. However, due to the prominence of other advertisements in the locality and the scale of buildings, the footway is experienced within a commercial setting.
11. The proposal would comprise a tall, slender, structure with illuminated screens on both sides, and would be of a contemporary design. It would be positioned at the back of the pavement, such that it would be set back from the main thoroughfare. Whilst tall, the unit, and the extent of the two digital, illuminated advertisement displays, would be subservient in scale to surrounding built form, including other advertisements and associated structures. In this manner it would sit comfortably within its commercial setting and would not be discordant with it, even though there is little in the way of street furniture nearby. There would also be space between the digital display screens and other aforementioned advertisements, such that visual clutter would be avoided.
12. The Council contends that the building signage is not similar, as it is set back from the highway, and positioned on the buildings the relevant businesses occupy.

Nevertheless, that signage is part of the context of the appeal site. Due to the scale of those signs, and height on the building, the hub unit and associated advertisements would be subservient to them. There is also nothing before me to indicate that the digital display screens would be brighter than any of the other colourful illuminated advertisements in the vicinity. In any case, a condition limiting brightness of the display screens, as suggested by the Council, would ensure its illuminance would be within recommended guidance levels.

13. The grade II listed Centenary Mill, is late 19th Century with later extensions and modifications. Its uniformity, scale, massing and detailing, retain its traditional cotton mill form, and are characteristics that contribute to its architectural and historic significance.
14. The unit and its associated display screens are diagonally opposite the Centenary Mill and are separated from it by the wide thoroughfare of New Hall Lane. Owing to this degree of separation, their small-scale, and their position within a commercial context, I am satisfied that the proposal would not diminish the setting in which the architectural and historic significance of this listed building is presently experienced.
15. 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.
16. 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.
17. The Council, in its reason for refusal in respect of appeal B, refers to policy EN8 of the Local Plan. However the officer report refers only to policy EN9, which relates to design of new development. Therefore, no conflict with policy EN8 has been brought my attention.

Other Matters

18. The development will reduce the width of the pavement; however its footway is relatively wide, and the development is sited to its rear. There is no compelling evidence to indicate that the primary walkway would be harmfully reduced to the extent that the structure would impede pedestrian flow, or that the advertisement would be a hazardous distraction. The Council, whilst observing that the footway width would be reduced, has raised no concerns in respect of public safety. For the above reasons, I see no reason to disagree.

Conditions

19. The Council has suggested conditions, which I have considered against the 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.

20. 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.
21. I have not imposed a condition requiring the removal of the telephone booths located opposite 51 New Hall Lane, and adjacent to 3 Syke Street. 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.
22. In the interests of visual amenity and public safety, the intensity of the illumination of the advertisement is limited by condition. For similar reasons conditions are applied to control the static nature, display, visual effects and transition between advertisements.
23. A condition is also added to ensure no adverts resemble traffic signs in the interests of highway safety.

Conclusion

24. 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.
25. 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-104)

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 ****