



Appeal Decision

Site visit made on 7 January 2026

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 January 2026

Appeal A Ref: 6001581

Pavement south side of Shakespeare Street, Nottingham NG1 3EN

- 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 NWP Street Limited against the decision of Nottingham City Council.
- The application Ref is 25/01420/PFUL3.
- The development proposed is new communications kiosk with integrated advertising display and defibrillator.

Appeal Ref: APP/Q3060/Z/25/3375650

Pavement south side of Shakespeare Street, Nottingham NG1 3EN

- 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 NWP Street Limited against the decision of Nottingham City Council.
- The application Ref is 25/01421/ADV2.
- The development proposed is new communications kiosk with integrated advertising display and defibrillator.

Decision

1. Appeal A is allowed and planning permission is granted for new communications kiosk with integrated advertising display and defibrillator at Pavement south side of Shakespeare Street, Nottingham NG1 3EN in accordance with the terms of the application, 25/01420/PFUL3, subject to the conditions in the attached schedule.
2. Appeal B is allowed and express consent is granted for new communications kiosk with integrated advertising display and defibrillator at Pavement south side of Shakespeare Street, Nottingham NG1 3EN as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the additional conditions set out in the attached schedule.

Preliminary Matters

3. Appeal A concerns the refusal of planning permission to erect a communication kiosk with a defibrillator (AED). Appeal B concerns the refusal of express consent to display advertisements on the hub as proposed under Appeal A. As they are intrinsically linked and raise similar issues, I have combined both decisions into a single decision letter.
4. The proposed development is within the setting of a listed building. I have therefore had special regard to Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

5. The main issues are:

- the effects of the proposals on the visual amenity of the area; and,
- the effects of the proposals on highway safety.

Reasons

Visual amenity

6. Opposite the appeal site, on the far side of Shakespeare Street, stands the Grade II listed YMCA hostel and associated shops. Dating from the early 20th century, the building comprises a combination of four and five-storey, sand-coloured brick elevations facing Shakespeare Street. While there are subtle variations in its fenestration, the overall composition maintains a strong sense of symmetry. The building features a mix of mansard and hipped roof forms, together with a prominent central tower that serves as a key visual landmark along the street. Its significance is therefore primarily derived from its architectural form.
7. The appeal site is positioned on the footpath between the Shakespeare Street carriageway and a row of modern commercial premises. The surrounding area has a distinctly commercial character, with a variety of business uses at ground-floor level and buildings that exhibit a pronounced vertical emphasis. Within this streetscape and the wider area, a range of street furniture of differing heights is present, including vehicle bollards, bus stops, litter bins, lighting columns, and road signage.
8. The proposed kiosk and AED would be positioned adjacent to the highway, in a location similar to that occupied by existing lampposts and road signage along Shakespeare Street. During my site visit, I also observed that this part of the streetscape accommodates a variety of advertisements. In addition to the typical signage displayed above shopfronts and within their windows, there are similarly scaled advertising displays on nearby structures of a similar size along Milton Street.
9. Taken together, the advertisement displays on the hub and the physical form of the kiosk would not appear out of place within this commercial streetscape, where modern street furniture and various forms of advertising are already prominent features. Moreover, given the height and scale of surrounding buildings and street furniture along Shakespeare Street, the hub and its associated advertisements would not appear unduly prominent, as they would visually relate to the larger built form around them. For these reasons, the proposed development would also preserve the setting of the Grade II listed YMCA hostel and shops.
10. Based on the foregoing assessment, in relation to Appeal A, the proposed kiosk with an AED would not be harmful to the visual amenity of the area. Therefore, it would be in accordance with Policy DE5 of the Nottingham City Land and Planning Policies Development Plan Document Local Plan Part 2 2020 (LP2). This policy, amongst other matters, seeks to ensure that development complements the visual amenity of an area by reason of its scale, position, quality, character, illumination and design.

11. With regards to Appeal B, I have taken into account Policy DE5 of the LP2, which seeks to protect visual amenity and so is material in this case. The proposal would not have an unacceptable effect upon the amenity of the area. The policies of the development plan are a material consideration, and in this respect, the scheme would not conflict with Policy DE5 of the LP2.

Highway safety

12. The Council note that the siting of the proposed kiosk would reduce visibility on approach to the junction of Shakespeare Street with North Church Street. The appeal site is situated between two signal-controlled junctions, each incorporating pedestrian crossings. The first junction lies at Mansfield Road, where traffic can turn onto Shakespeare Street or continue ahead onto Milton Street. After turning right from Mansfield Road onto Shakespeare Street, drivers encounter a short, straight section of road with a 20-mph speed limit up to the next junction, where a left turn leads onto North Church Street. This is not a challenging or unusual route to navigate.
13. Although the appeal proposal would be located close to the highway and would reduce visibility somewhat, it would occupy only a small parcel of land and therefore the effect of this would be slight. From the perspective of a driver on the approach to the junction with Milton Street, in this position, the effect of the kiosk would be limited to an extremely short visible glimpse, where a notable distance beyond it to stop before the crossing for a road of this speed limit would remain. As such, due to the positions of the junction with North Church Street and the location of the appeal site between them, a development and advert of this limited scale would not reduce the visibility of pedestrians using these crossing points. Therefore, it would not be significantly detrimental to highway safety.
14. Moreover, conditions can be used to ensure changes in displays are instantaneous, that images are static, not changed more than once every 10 seconds and that appropriate illumination levels are met. This would further reduce the possible effect of the proposals on highway safety and the distraction of drivers. I turn to this matter later in my decision.
15. Based on the above, with regard to both Appeal A and Appeal B, the proposed development would not result in a harmful effect on highway safety. They would, as far as it is a material consideration to Appeal B, therefore accord with Policy DE5 of LP2. Amongst other things, this policy requires development to be considered against the impact of the scheme against highway or pedestrian safety.

Conditions

16. The Council did suggest some conditions if the appeals were allowed. I have considered these suggestions against the advice in the National Planning Policy Framework and Planning Practice Guidance. Comments were requested from the parties on the conditions listed in the below schedules.
17. With regards to Appeal A, in the interests of certainty, I have imposed a condition which relate to the commencement of the development [1] and the approved plans [2]. A management plan was included in the application. This management plan addresses issues such anti-social behaviour and misuse of the kiosk. I consider the conditioning of this document which details the operation and management of

the hub [3] as necessary, in the interests of maintaining for public safety and the management of the kiosk.

18. Appeal B would be subject to the 5 standard conditions, as set out in the Regulations. In addition, to prevent the proposed advertisements from distracting road users, I have attached a condition which requires the display to operate within the recommendations by the Institution of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) to restrict the intensity of illumination [1] and I have included a minimum display time [2]. For the same reasons, I have also included a condition which controls movement within each advert [3] and a restriction on the transitions between each different advert. This also includes a mechanism to switch off the screen in the event of malfunction [4].
19. The Council have stated that the precise location of the installation is unclear and as such, a condition which details the precise installation location is recommended. In my assessment of this matter, I have found that the proposed placement of the kiosk is detailed on the location plan and site plan, which have been utilised to assess the main issues of this decision. Therefore, I do not deem that such a condition is necessary and therefore, this has not been imposed on this decision.

Conclusion

20. For the reasons given above, both appeals should be allowed.

J Smith

INSPECTOR

Schedule of Conditions

Appeal A: 6001581

- 1) The development hereby permitted shall begin no later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawings:
 - LOCATION PLAN: Pavement south side of Shakespeare Street, Nottingham, NG1, Easing, Northing 457245m, 340328m
 - SITE PLAN: Drawing Number: 4870-001-005
 - Elevations: NWP-KIOSK/001
- 3) The development hereby permitted shall be operated and managed in accordance with the submitted *New Communications Kiosks – Management Plan*, or an updated equivalent.

Appeal B: APP/Q3060/Z/25/3375650

- 1) At all times, the display shall operate within the recommendations by the Institution of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or its equivalent in a replacement guide).
- 2) The minimum display time for each advertisement shall be no less than 10 seconds.
- 3) The digital advertisement screen shall be statically illuminated and shall not display any moving, apparently moving or audible images (including animation, flashing, scrolling, three dimensional or video elements).
- 4) Any change in the advertisement display shall be instantaneous and shall not include blending, fading, swiping or other animated transition methods. The display shall include a mechanism to freeze the image or switch off the screen in the event of a malfunction.