
Appeal Decisions

Site visit made on 4 February 2026

by **H Marriott MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 February 2026

Appeal A Ref: APP/P0240/H/25/3376308

Land Outside 5-7 West Street, Dunstable LU6 1SL

- 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 Thomas Johnston of NWP Street Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/02794/ADV.
 - The advertisement proposed is for the installation of 1 no. new communications kiosk with integrated defibrillator and advertisement display.
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Appeal B Ref: APP/P0240/W/25/3376307

Land Outside 5-7 West Street, Dunstable LU6 1SL

- 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 Thomas Johnston of NWP Street Ltd against the decision of Central Bedfordshire Council.
 - The application Ref is CB/25/02793/FULL.
 - The development proposed is the installation of 1 no. new communications kiosk with integrated defibrillator and advertisement display.
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Decisions

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

Preliminary Matters

3. The two appeals relate to a single proposed kiosk on the same site. Appeal A relates to advertisement consent and Appeal B to an application for planning permission. Each appeal has been considered on its individual merits, but to avoid duplication, they are addressed in a single decision, except where otherwise indicated.
4. The appeal site is located within the Dunstable Conservation Area (CA). In considering whether to grant planning permission, I have been mindful of my statutory duties under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area.
5. In relation to Appeal A, Section 3(1) of the 2007 Regulations limits my assessment to matters relating to amenity and public safety. The Council raise no concerns regarding public safety, and based on the evidence before me I have no reason to take a different view, including in respect of the usability and accessibility of the

surrounding pavement or any highway safety implications. The policies cited by the Council in relation to Appeal B, are only relevant insofar as they relate to amenity, and they have not been determinative in reaching my decision on that appeal.

Main Issues

6. For appeal A, the main issue is the effect of the proposed advertisement on the amenity of the area.
7. For appeal B, the main issue is whether or not the proposed development preserves or enhances the character or appearance of the CA.

Reasons

8. The CA designation encompasses Dunstable town centre including the landmark Priory Church of St Peter, as well as the roads that radiate out from it. Its special interest is derived from the archaeological and architectural heritage and the historic layout of the town. Collectively, these elements reveal the built evolution of Dunstable over many centuries.
9. West Street forms an historic approach to the crossroads at the core of the CA. It is partially tree-lined and characterised by a varied mix of street-fronting buildings of differing ages, scales and forms, reflecting its higher-density town centre setting. Although some later, less sympathetic development is present, the established development pattern, diverse roofscapes, street trees and traditional materials remain defining elements that contribute positively to the significance and special interest of the CA as a whole.
10. Numbers 5-7 West Street (No 5-7) form part of a larger, modern two-storey brick building with staggered ground floor shopfronts set-back from the road. The building incorporates projecting front gables and a partially overhanging upper storey supported by pillars that extend over part of the pavement. In this location, the pavement is wide and contains various items of street furniture, including cycle stands, planters containing trees, benches, litter bins, bollards and electrical cabinets. These elements form part of a modern shopping environment on this part of the street. However, their modest scale and functional appearance, together with the generous pavement width, set-back and roofscape of No 5-7 and the continuity of the tree line, mean that they result in a neutral contribution to the overall character and appearance of the CA.
11. The proposed kiosk would be a solid freestanding structure with an illuminated digital display panel on one side showing static images changing every 10 seconds¹, and a defibrillator with telephony and interactive display panel on the other side. It would be positioned between an existing planter and bench, adjacent to cabinets. Although grouped with existing street furniture, the kiosk would be noticeably taller and more substantial than most of these items, giving it a more imposing and visually dominant presence. Its prominent position close to the road, combined with the presence of the digital display, would inevitably draw the eye and be visually conspicuous within the street scene.
12. While there are existing advertisements in the vicinity, including those on the side and front of nearby buildings, these are generally set back from the roadside and

¹ to comply with the Institute of Lighting Professionals, Professional Lighting Guide PLG 05 2015 – The brightness of illuminated advertisements including digital displays

are not unexpected on buildings within a commercial environment. The kiosk, by contrast, would introduce additional visual clutter and reduce the perception of spaciousness within this section of the public realm. It would also partially obscure views of the tree line, in part created by the trees within the planters, an effect that would be more pronounced when the trees are in leaf. As a result, it would harmfully disrupt views along West Street and negatively affect the neutral contribution this part of the CA currently makes to its overall significance.

13. The appellant's willingness to accept conditions in relation to luminance, hours of operation and tree planting is noted. However, such measures would not sufficiently mitigate the harm identified.
14. Overall, the proposal would fail to preserve or enhance the character or appearance of the CA and would fail to accord with the statutory presumption under s72(1) of the Act. Given the scale and nature of the proposal, the degree of harm to the significance of the CA is at the mid-level of less than substantial. Paragraph 215 of the National Planning Policy Framework (the Framework) states that this harm should be weighed against the public benefits of the proposal.
15. The public benefits would include the installation of a publicly accessible defibrillator, which has the potential to save lives, alongside telephony, wayfinding and other public communications functions. The kiosk would provide open access, including for those with mobility impairments, and would be particularly valuable for people without a landline or working mobile phone. It could be used to report emergencies, enable vulnerable people to contact help lines and other support services and used for emergency or community messaging. The kiosk would be designed to be durable, to deter vandalism and anti-social behaviour and would be subject to regular cleaning and remote monitoring. It would also generate a contribution to business rates. Taken together, the public benefits have moderate weight.
16. The Framework indicates great weight should be given to the conservation of a designated heritage asset. I find that the moderate public benefits are not sufficient to outweigh the mid-level of less than substantial harm identified, leading to conflict with the historic environment protection policies of the Framework.
17. With regard to Appeal B, I conclude that the proposed development would result in a harmful effect on the character and appearance of the CA. In this regard, it would conflict with Policies HQ1 and HE3 of the Central Bedfordshire Local Plan 2015 -2035 (2021) (LP) which require proposals to relate well to the existing local surroundings and reinforce local distinctiveness and to preserve the siting of designated assets and their historical significance. For the same reasons, the proposed development would also be contrary to the guidance set out in the Central Bedfordshire Design Guide (2023).
18. With regard to Appeal A, I conclude the proposed advertisement would result in harm to the amenity of the area. This is contrary to the provisions of paragraph 141 of the Framework which recognises that the quality and character of places can suffer when advertisements are poorly sited and designed. Although not determinative, there would also be conflict with Policies HQ1 and HE3 of the LP insofar as they relate to matters of amenity.

Conclusion

19. For the reasons given above, Appeal A and B should be dismissed.

H Marriott

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/P0240/H/25/3376308	NWP Street Ltd
Appeal B	APP/P0240/W/25/3376307	NWP Street Ltd