



Appeal Decisions

Site visit made on 20 January 2026

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2026

Appeal A Ref: APP/Q0505/W/25/3372896

Pavement adj to Grafton Centre, Burleigh Street, Cambridge, CB1 1PS

- 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 BT Telecommunications Plc against the decision of Cambridge City Council.
 - The application Ref is 25/02502/FUL .
 - The development proposed is for the installation of 1no. BT Street Hub and removal of associated BT payphones.
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Appeal B Ref: APP/Q0505/H/25/3372897

Pavement adj to Grafton Centre, Burleigh Street, Cambridge, CB1 1PS

- 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 Simon Warner of BT Telecommunications Plc against the decision of the Cambridge City Council.
 - The application Ref is 25/02503/ADV
 - The advertisement proposed is described as 'the installation of 1no. BT Street Hub and removal of associated BT payphones'.
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Decision

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

Preliminary Matters

3. There are two appeals relating to the site, one against the refusal of planning permission and the other against the refusal of advertisement consent. They are intrinsically linked and raise similar issues. While considering each on its own merits, I have dealt with both in a single decision letter.
4. I am also the Inspector appointed to determine other appeals¹ within the Borough for the same appellant and proposals. Although I have also determined each appeal on their own merits, the similarity in the reasons for refusal results in some duplication in how I have addressed common matters.
5. 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.

¹ Linked Appeal References: 3372765 and 3372766; 3372767 and 3372768; and 3372838 and 3372839.

Therefore, while I have taken relevant policies into account as a material consideration, they have not been determinative.

6. For Appeal B, I have used the description of development given on the submitted application form. Although this is different from the description of the development on the decision notice, there is no evidence a change was agreed. However Appeal B relates to the advertisement provided on the 2no. digital 75" LCD display screens each side of the Street Hub.

Main Issues

7. For Appeal A, the main issues are: (i) the effect of the proposal on the character and appearance of the area; (ii) the effect of the proposal on the living conditions of nearby occupiers, with particular regard to light intrusion and noise; (iii) whether the proposal takes opportunities to integrate sustainable design and construction principles; and iv) highway safety.
8. For Appeal B, the main issue is the effect of the proposed advertisements on: (i) amenity; and (ii) public safety.

Reasons

Character, appearance and amenity

9. The appeal site lies within the pedestrianised section of Burleigh Street in the Primary Shopping Area. Flanked on either side by two and three-storey retail premises, the existing kiosk to be replaced is positioned centrally within the footway. It aligns with other low-level street furniture, including benches, cycle stands, refuse bins and tall streetlights. While the wider area includes some first-floor residential properties, the prevailing architectural character is contemporary and dominated by shopfronts. The area is primarily defined by its retail and commercial functions and associated street furniture, including other communication kiosks with digital advertising and wayfinding signs. Overall, the area presents a busy appearance and character.
10. The proposal seeks the installation of a BT Street Hub comprising a tall, modern structure incorporating a portrait-format digital display, along with integrated Wi-Fi and 5G capabilities. The unit forms part of BT's wider programme to replace existing kiosks with multifunctional digital infrastructure providing ultrafast Wi-Fi, public calls, device charging, wayfinding, emergency contact functions, and capacity to support contemporary communications technologies. It is intended to replace outdated kiosks in various locations², including at the appeal site which has been used to store items for those without sheltered accommodation.
11. The site is located within the Fitzroy, Burleigh Street/Grafton Area of Major Change, as identified under Policy 12 of the Cambridge Local Plan (October 2018) and supported by the Grafton Area Masterplan Supplementary Planning Document, December 2018 (the Grafton Area SPD). Policy 12 e) specifies that development within this area should improve the public realm along Fitzroy Street and Burleigh Street by removing unnecessary signage and street furniture.

² Pavement adj to Grafton Centre, Burleigh Street, Cambridge, CB1 1PS, Pavement at King Street, Cambridge, CB1 1LH and Pavement opp 45 Mill Rd, Petersfield, Cambridge, CB5 8DZ.

12. This proposal would not increase the overall amount of street furniture, as it would replace an existing facility. It therefore differs from the dismissed JC Decaux appeals³ referred to by the Council. Although the new unit would be taller than the current kiosk, it would occupy a smaller footprint and therefore provide additional pavement space.
13. The surrounding streetscene, however, contains a notable cluster of digital advertising installations. A black contemporary telecommunications kiosk stands on Fitzroy Street, with a digital advertisement allowed at appeal⁴ with a further BT kiosk on Burleigh Street. These structures occupy close spatial proximity to each other and to the appeal site, which are not shown on the submitted photomontages. As a result of their scale, form and illuminated displays, they exert a substantial visual presence within the public realm. From my site visit, the movement associated with the rotating screens further amplifies their prominence and draws the eye, increasing their influence on the streetscene.
14. The existing kiosk accommodates static, paper-based advertising with a comparatively limited visual impact. The proposal would introduce illuminated digital displays on both sides in an area already containing a high concentration of similar units. This would intensify visual clutter and create a more congested streetscape. Moreover, given the very short separation distances to existing an existing digital kiosks and modern phone boxes, no substantive justification has been provided for an additional digital unit or telecommunication services. Its introduction would add to rather than rationalise the current arrangement of advertising structures.
15. The appellant highlights the benefits of removing the dilapidated kiosk. However, it is unclear why the existing structure could not be cleaned, restored, or better maintained. I am not persuaded that the removal or replacement of the kiosks with is the only way to achieve an improvement to the public realm or Conservation Areas.
16. Taking into account the aims of Grafton SPD Appeal A would therefore result in harm to the character and appearance of the area. Appeal B would result in harm to amenity. Appeal A conflicts with policies 1, 12, 25, 55, 56, 65 and 84 of the Cambridge Local Plan, October 2018 (the Local Plan). Together and insofar as they are relevant to the appeal, these seek, amongst other matters, to support sustainable development which responds to surrounding context, improves the public realm and that advertising and street furniture does not have an adverse impact on the character and appearance of the area and is sympathetically designed.
17. The proposals would also not align with paragraph's 135 and 141 of the Framework, where it relates to advertisements and seeks to ensure that development adds to the overall quality of the area, and is sympathetic to local character.

Living conditions

18. Nuisance from illuminated displays can arise through excessive brightness, ground-level illuminance or light observed through nearby windows, which can

³ Appeal A: Appeal Ref: APP/Q0505/W/23/3324785 and Appeal B: Appeal Ref: APP/Q0505/Z/23/3324786.

⁴ Appeal Ref: 3165714

distract or disturb sleep when images are displayed during the day or night. However, the site lies within a busy area, characterised by numerous shops, commercial frontages and tall slender street lights. In this context, it is likely there would be some ambient lighting levels throughout the evening and into the night.

19. The proposal would have static, non-moving displays and automatic night-time dimming, reducing brightness in accordance with the product's built-in lighting controls. Although the Council highlights a lower Institute of Lighting Professionals' guidance threshold, the appellant confirms that the unit's illumination is fully controllable and could be set to any required limit by condition.
20. The screens are positioned perpendicular to first-floor residential windows, meaning they do not directly face any homes. Brightness levels, hours of operation, and automatic switch-off after an agreed curfew can also be secured by condition, ensuring any light impact remains minimal and appropriate for the area. Such an approach is advanced within the supporting text to Local Plan Policy 34, which identifies that, where appropriate, conditions will be used to control lighting, including limiting the hours of illumination.
21. The Council has advised the area has a quiet noise environment at night and that there are residential windows some 6 to 7 metres from the appeal proposal. However, it has not sought to provide further comment on the appellant's statement of case which explains that noise from the cabinet and equipment should not exceed 41db at a distance of 3 metres during the day, 35db at a distance of 3 metres during the night and the operational volume should not exceed 60dB at a distance of 1 metre. Nor is it evident that the dismissed appeals were found to be harmful for similar reasons, and they also included call facilities in a similar location, and digital advertisements. There is also no specific evidence that other units in the vicinity are the cause of complaints.
22. Given the likely infrequent use of the call facility, and proximity of other facilities which provide some shelter if using to make calls, making them more private and therefore likely to be more attractive for users, I am not convinced that it has been demonstrated that the proposal would be likely to result in significant harm to the living conditions of nearby occupiers, in this location or amenity.
23. For the reasons set out above, and subject to appropriately worded conditions, I conclude that the proposals would not cause harm to the living conditions of nearby residents in respect of light or noise intrusion and would not harm amenity. For Appeal A, the development would comply with policies 34 and 35 of the Local Plan, which together seek to ensure that residential occupiers are not exposed to noise or other environmental effects that would result in an unacceptable adverse impact on health or quality of life. The proposal would also align with Framework paragraph 135 and 141 which seeks to ensure developments promote health and well-being and do not harm amenity.

Sustainability

24. The proposals are not major development; however, Local Plan Policy 28 requires all proposals to take available opportunities to integrate the principles of sustainable design and construction. I have not been provided with evidence which sets out the energy demand reduction it considers acceptable, what standard or benchmark the appellant failed to meet, what exact measures it expected to be delivered, or any reference to the Sustainable Design and Construction SPD

(2020) explaining the alleged conflict. It has also not disputed that the energy specifications of the proposal outlined above would be effective. There is also no substantive evidence before me that the appeal site lies within a constrained capacity area.

25. As such, the Street Hub incorporates measures consistent with all stages of the energy hierarchy. In the first instance, energy demand is reduced through the use of a screen requiring approximately 60% less power than earlier lighting technologies, alongside components capable of operating at higher temperatures, thereby limiting the need for active cooling. Energy efficiency is further addressed through an aluminium casing that assists with thermal dissipation, high efficiency power supplies achieving efficiencies of 80% or above, and a modular construction that facilitates future upgrades without the need for additional building works. Following the application of demand reduction and efficiency measures, the unit is supplied entirely by renewable, carbon free energy, as confirmed within the Product Statement.
26. On the basis of the evidence before me, these measures could be secured through a suitably worded planning condition. I therefore conclude the proposal takes appropriate opportunities to integrate sustainable design and construction principles. The proposal accords with Local Plan Policy 28, which seeks to ensure proposals reduce the need for energy, use it more efficiently, and from renewable sources. As the Council has identified no specific conflict with the Sustainable Design and Construction Supplementary Planning Document (January 2020), I am unable to reach a view on this guidance; however, this omission is not determinative.

Highway and public safety

27. The Grafton SPD identifies that Burleigh Street has no public motor vehicle access, and cycling is prohibited between 10am to 4pm on Mon-Sat. It also shows that delivery vehicles do not access the units by the appeal site and serviced by lockable bollards. Local Plan Policy 81 requires that development must not give rise to an unacceptable transport impact and that sufficient information is provided to allow such impacts to be assessed. In this instance, the Street Hub would replace an existing kiosk of comparable scale and position. The available evidence indicates that the proposal would not materially alter pedestrian movement or narrow the usable width of the footway. Pedestrian flows would continue to be accommodated comfortably on either side of the unit, and there is no indication that the route serves vehicular traffic. Accordingly, I am satisfied that the physical presence of the structure would not give rise to harm to pedestrian safety or convenience.
28. I acknowledge that the application does not include specific examples of the advertising content to be displayed. However, there is no substantive evidence before me to suggest that the digital display, individually or cumulatively in this location, would impede the legibility of traffic signs or signals, or cause distraction at a level that would compromise pedestrian safety even if the site is accessed by private or permitted vehicles. Operational characteristics of the display including brightness, dwell time, and the frequency of image transitions can reasonably be regulated by condition to ensure that the unit functions within safe parameters and does not adversely affect the attention of passing pedestrians.

29. Furthermore, the Council relies on its Highways Operational Standards to contend that advertising within the public highway “will not be permitted.” However, these standards are not referenced within Local Plan Policy 81, and no copy has been provided to establish their status or the weight that should be afforded to them in decision-making.
30. I also note that digital advertising panels are already present within the wider vicinity of the appeal site. The Council has not demonstrated that those installations have given rise to safety concerns or were subject to controls beyond those capable of being applied to the proposal before me. Taking these factors together and noting the safeguards inherent in the broader regulatory framework governing advertisements, I see no basis to conclude that the absence of detailed content information results in an unacceptable risk to public safety in this context.
31. For Appeal A, I am not persuaded that the proposal conflicts with the aims of Local Plan Policy 81, and accordingly I do not find Appeal B to be harmful to public safety. I therefore conclude that subject to aforementioned conditions there would not be harm to safe and efficient operation of the highway and public safety. There would be no conflict with Policy 81 of the Local Plan, which seeks to permit developments where they do not have an unacceptable transport impact. Accordingly there would not be conflict with paragraph 141 of the Framework in this respect.

Other Considerations

32. Paragraphs 119 and 120 of the NPPF recognise high-quality digital communications as essential to economic growth and social well-being, encouraging the expansion and upgrading of networks, including 5G. The proposal therefore aligns with national objectives to modernise and improve connectivity, even though no detailed 5G coverage information has been provided. Cambridge Local Plan, including policies 42 and 84 similarly support modern telecommunications infrastructure and measures that reduce the need to travel by enabling better digital access. Together, the Local Plan policies provide broad support for improved digital services of the type delivered by the Street Hub.
33. The proposal would deliver a range of public benefits. It would remove three deteriorating BT kiosks. The proposal would offer free ultrafast Wi-Fi, free phone calls, device charging, wayfinding, and a direct 999 emergency call button, alongside additional functions such as 5G small-cell connectivity, public messaging displays and environmental monitoring equipment, including air-quality sensors. The Hub would be powered by renewable energy, maintained through a rigorous cleaning and servicing programme, and funded entirely through its associated advertising. Collectively, these features would deliver accessible digital services that could lessen the need for physical travel for basic communication needs, improve public access for all, and enhance the overall experience for visitors to the area.
34. The appellant has drawn my attention to other appeal decision examples⁵, 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 exactly comparable in physical or planning policy context to the appeal site. The allowed appeal at Fitzroy Street was

⁵ Appeal References: 3202341 and 3201305; 3301229 and 3301230; 3285202 and 3285203; 3308266 and 3308267.

determined before the Local Plan and Grafton SPD was adopted. As such I attribute limited weight to these examples.

Planning Balance and Conclusion

35. The proposals would deliver several public benefits. These align with national and local policy objectives promoting modern communications infrastructure. The proposals would also avoid harm to living conditions and incorporate sustainable design measures and would not harm highway of public safety. However, the appellant has not provided substantive evidence to demonstrate the extent to which the benefits would be realised at this specific location, or that those benefits are not served by other nearby units. By contrast, the proposal would result in harm to the character and appearance of the area through the proliferation of advertisements. This harm carries significant weight. On balance, the benefits advanced do not outweigh the identified adverse impacts, and the proposal therefore conflicts with the development plan when read as a whole.
36. For the reasons set out above, I conclude that both appeal A and Appeal B should therefore be dismissed.

K Williams

INSPECTOR

Appendix 1

List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/Q0505/W/25/3372896	BT Telecommunications Plc
Appeal B	APP/Q0505/H/25/3372897	BT Telecommunications Plc