Planning Inspectorate

Appeal Decisions

Site visit made on 7 July 2026

by S Ramsden BSc (Hons) MA MA IHBC

an Inspector appointed by the Secretary of State

Decision date: 05 August 2026

Appeal A Ref: APP/E3335/W/26/3377637
Pavement Outside Jubilee Café, The Esplanade, Minehead TA24 5BE

- 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 Simon Warner, BT Telecommunications PLC, against the decision of Somerset Council.
- The application reference is 3/21/25/057.
- The development proposed is the installation of 1no. BT Street Hub and removal of associated BT payphones.

Appeal B Ref: APP/E3335/H/26/3377638
Pavement Outside Jubilee Café, The Esplanade, Minehead TA24 5BE

- 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 Mr Simon Warner, BT Telecommunications PLC, against the decision of Somerset Council.
- The application reference is 3/21/25/058.
- The development proposed is the installation of 1no. BT Street Hub and removal of associated BT payphones.

Decisions

1. The appeals are dismissed.

Preliminary Matters

2. As set out above, there are two appeals on the site. Appeal A relates to an appeal under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission. Appeal B relates to an appeal under section 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Advertisement Regulations) against a refusal to grant express consent. I have considered each on its individual merits, but I have combined these cases into a single decision letter as they are intrinsically linked and raise the same issues.

3. In respect of Appeal B, the Advertisement Regulations require that decisions are made only in the interest of amenity (which can include visual and/or aural amenity) and public safety. As set out in the reasons for refusal, the Council has identified impacts on visual amenity and road safety as being relevant matters. Whilst I have taken account of the policies to which the Council refers insofar as they may be relevant, these have not been decisive in my determination of this appeal.

4. I have had regard to the duties set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). This requires, when

determining proposals in conservation areas, that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

5. I have also had regard to the duties set out in Section 66(1) of the Act. This requires, with respect to a listed building or its setting, special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6. Additionally, the National Planning Policy Framework (the Framework) 2024 states that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to the asset's conservation.

Main Issues

7. The main issues are:

- the effect of the proposal on the visual amenity and the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Wellington Square Conservation Area (the Conservation Area) and the settings of nearby listed buildings; and,
- the effect of the proposal on public safety, with particular regard to road safety.

Reasons

Visual amenity/Character and appearance/Conservation Area and listed buildings

8. The appeal site is located in a spacious paved area on the Esplanade. The sea-front area contains a series of traditionally detailed shelters, along with the low scale Jubilee Café, linked by a promenade and modest pleasure gardens. The appeal site contains a BT telephone kiosk, near the junction of the Esplanade with Warren Road and The Avenue. The site is opposite the pedestrian and vehicular entrance to the West Somerset Railway; a tourist attraction and heritage railway line, and adjacent to the South West Coastal Path.

9. In addition to a seaside shelter, the immediate area contains some small street trees, lampposts, benches, post box, and other street furniture. There are a few unilluminated signs, associated with seaside activities and food offer, but they are not visually dominant nor unexpected in the beach-front context, nor do they impinge overly on the openness of the area.

10. There are a number of Victorian and Edwardian hotels and other buildings fronting the open Esplanade, which contribute to the significance of the Conservation Area. Its character at this point is of a pleasant seaside promenade, with well-detailed historic buildings facing the open seafront, distinct from the commercial and retail activity further inland. This part of the Conservation Area is also characterised by open views along the seafront, traditional seaside structures, and views out across the sea bay.

11. On the opposite side of Warren Road, to the appeal site, is the Railway Station and an associated Goods Shed. Both of these Victorian buildings are Grade II listed structures. The Railway Station is significant in the development of Minehead as a holiday resort and hence as a point of arrival to the historic town.

Their settings comprise the predominantly traditional buildings and structures associated with the railway and tourism industries.

12. The proposed Street Hub would be a direct replacement for the current telephone kiosk, which given its predominantly glazed sides and muted colours is relatively visually recessive. The proposed Hub would be considerably larger, in terms of its height and width, than the existing kiosk. Unlike the existing kiosk, it would not have a degree of transparency, and the use of black, powder coated aluminium materials would contribute to the bulk of the unit. It would therefore appear visually oppressive and discordant within the local environment. The large internally illuminated digital advertisement screens would further increase its incongruous nature, particularly given the absence of internally illuminated advertisements in the immediate vicinity.

13. The proposed Hub would be visible in views along the open Promenade, Warren Road and views along The Avenue, which terminate at the seafront. It would also be highly visible to people entering and leaving the station of the West Somerset Railway, despite it being viewed obliquely, and would further obstruct views along the seafront and, from certain points, out to sea.

14. Although the harm would be less than substantial, given the existing kiosk on the site, it would nevertheless be an intrusive element in the Conservation Area and harm its open, traditional seaside character. It would harm the visual amenity of the wider area and the setting of the nearby listed Railway Station and Goods Shed, as it would impact on the experience of these buildings as a point of arrival to the resort town.

15. My attention has been drawn to two appeal decisions which allowed BT Hubs within historic areas and/or close to other heritage assets. I have not been provided with full details of either proposal, however both appear to be in high street contexts where there are already other advertisements, signage and modern interventions in the public realm. Whilst modern design is not inherently inimical to historic character, in the context of this appeal and for the reasons given above, the proposed BT Hub would be an alien and discordant element, out of character with the surrounding context. As a result, reference to these decisions has not altered the harm that I have identified in relation to heritage assets.

16. National planning policy seeks to secure high quality design and advises that poorly placed advertisements can have a negative impact on the appearance of the built environment. In addition to the specific advice relating to advertisements, Chapter 16 of the Framework sets out Government policy in relation to the historic environment. Paragraph 202 states that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Paragraph 212 of the Framework states that any harm to the significance of a designated heritage asset, which includes conservation areas and listed buildings, requires clear and convincing justification.

17. The appellant has referenced a number of considerations in support of Appeal A, including the provision of improved and cost-free digital connectivity for the local community such as wi-fi and UK calls, together with device charging ability, wayfinding assistance and an emergency services button. Additional digital services are also cited as supporting economic growth and commercial activity. Safeguarding benefits have also been raised where charity phone lines could be

accessed from the installation. My attention has also been drawn to the sections in the Framework relating to the provision of telecommunication equipment and digital infrastructure, and that the proposed Hub would provide some of the services offered by the existing kiosk but in a more accessible way.

18. I have been provided with insufficient information to demonstrate that the benefits of the proposal could not be provided in a less harmful way and/or in a less sensitive location. There is therefore no clear and convincing justification for the harm to the Conservation Area and the setting of the listed buildings, and the public benefits ascribed to the proposed development would not outweigh the harm identified. Whilst the removal of the existing telephone kiosk would be of public benefit, its replacement with a BT Hub would cause a greater degree of harm than the existing unit. Furthermore it has not been demonstrated that the removal of the existing kiosk is contingent on a Hub being permitted in this location.

19. For the reasons given above, I conclude that the proposal would harm the visual amenity, and the character and appearance of the area. It would fail to preserve the character or appearance of the Conservation Area and the settings of the Grade II Railway Station and Goods Shed. In accordance with the Framework, I ascribe great weight to the conservation of the Conservation Area and listed buildings as heritage assets and, by extension, to the harm to their significance that I have identified.

20. The proposed development is therefore contrary to Sections 66(1) and 72(1) of the Act, and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It also conflicts with Policies NH1, NH2, and NH13 of the West Somerset Local Plan (the Local Plan) (2016), which taken together seek to ensure development conserves and enhances the significance of heritage assets and their settings, and contributes positively to local character.

Public safety

21. The proposed BT Hub would occupy a similar position to the existing kiosk, and would not pose any additional risks to pedestrian movement in and around the installation.

22. The proposed Hub is near to the junction of the Esplanade, Warren Road, The Avenue and the vehicular entrance/egress to the car park at the Railway Station. A Road Safety Audit has not been submitted, but at my site visit I observed that the point immediately adjacent to the appeal site is a well-used crossing point for pedestrians accessing the seafront and the South West Coastal Path. There is not a dedicated or controlled pedestrian crossing at this point and, although vehicular traffic was relatively slow moving, I observed that the potential for conflict between pedestrians crossing the road and vehicular traffic was quite high.

23. Although set back from the carriageway, the proposed Hub would be prominent in the views of drivers proceeding along Warren Road and The Avenue, and in the sightline of drivers turning left out of the Esplanade onto Warren Road. Given its position, size, internal illumination and changing digital images, it would potentially be distracting to drivers approaching the road junctions, causing a risk to both road and pedestrian safety. The risk would be exacerbated due to there being a well-used pedestrian crossing point close to the appeal site and the nature of visitor traffic along the seafront.

24. For these reasons, the proposal would have an unacceptable effect on public safety, with particular regard to road safety. It therefore conflicts with Policy BD/7 of the Local Plan, which seeks to ensure advertisements would not be prejudicial to public safety. It would also conflict with the Council's Placemaking Principles for Somerset (2024), which also seeks to ensure development does not compromise public safety.

Conclusion

25. For the reasons given above, having considered the development plan as a whole and having regard to other matters, I conclude that Appeal A should be dismissed.

26. For the reasons given above Appeal B should also be dismissed.

S Ramsden

INSPECTOR

Appendix 1
List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	APP/E3335/W/26/3377637	BT Telecommunications PLC
Appeal B	APP/E3335/H/26/3377638	BT Telecommunications PLC