



Appeal Decisions

Site visit made on 18 November 2025

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal A Ref: APP/C1625/W/25/3369080

Pavement On Walkway Between Parsonage Street And Castle Street, Dursley GL11 4BW

- 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 Stroud District Council.
 - The application Ref is S.25/0413/FUL.
 - The development proposed is installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk(s).
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Appeal B Ref: APP/C1625/H/25/3369081

Pavement On Walkway Between Parsonage Street And Castle Street, Dursley GL11 4BW

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Advert Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Simon Warner (BT Telecommunications Plc) against the decision of Stroud District Council.
 - The application Ref is S.25/0414/ADV.
 - The advertisements proposed are 2no. digital 75" LCD display screens, one on each side of the Street Hub unit.
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Decisions

1. Appeal A is allowed and planning permission is granted for the installation of 1no. new BT Street Hub, incorporating 2no. digital 75" LCD advert screens, plus the removal of associated BT kiosk at Pavement On Walkway Between Parsonage Street And Castle Street, Dursley GL11 4BW in accordance with the terms of the application Ref S.25/0413/FUL, subject to the conditions in the Schedule at the end of this decision.
2. Appeal B is allowed and express consent is granted for 2no. digital 75" LCD display screens, one on each side of the Street Hub unit, as applied for. The consent is for 5 years from the date of this decision and is subject to the 5 standard conditions set out in the Advert Regulations and the conditions in the Schedule at the end of this decision.

Preliminary Matters

3. The 2 appeals relate to the same site and to each other. I have considered each on its individual merits but I have combined the cases into a single decision letter as they are intrinsically linked and raise similar issues.

4. The appeal site address given in the headers above is taken from the appeal forms, although I have added the post code from the application forms. The addresses above more accurately describe the location of the site compared to that originally provided by the appellant.
5. The planning, design and access statement provided by the appellant with the planning application leading to appeal A refers to the proposed removal of 2 existing phone kiosks. The first is near to the site of the proposed street hub and it is located within the appeal site as defined by a red line on the submitted plans. However, the second kiosk referred to is at Kingshill Road Dursley and well away from the appeal site. Moreover, no information has been submitted to demonstrate the required notification has been served on the owner of the land where the second kiosk is positioned. As such, it would be prejudicial and unfair for me to consider the removal of the Kingshill Road kiosk in my assessments. For clarity reasons, I have slightly amended the description of development in my decision on appeal A to only refer to the removal of a single kiosk.
6. The Advert Regulations confine the assessment of advertisements to issues of amenity and public safety. With respect to appeal B, development plan policies are only relevant considerations insofar as they relate to such matters.

Main Issues

7. For appeal A, the main issues are the effect of the development on the character and appearance of the area including whether it would preserve or enhance the character and appearance of the Dursley Conservation Area (the CA). For appeal B, the main issue is the effect of the advertisement on the visual amenity of the area. In my assessments, I have paid special regard to the desirability of preserving or enhancing the character and appearance of the CA.

Reasons

Character and appearance of the area (appeal A).

8. The proposed hub would be positioned on a wide but short pedestrianised street (hereafter referred to as the walkway) that runs between Parsonage Street and Castle Street as annotated on the submitted plans. Parsonage Street is lined with shops and commercial outlets. In contrast, the walkway is seen as a side street with a main function of providing a pedestrian link between Parsonage Street and a Sainsbury's supermarket on the opposite side of Castle Street. Currently there is a line of street furniture running centrally through the walkway, including a telephone booth, a red letter box, street lighting, planters, benches and a signboard. The appeal site and its surroundings have a busy, commercial feel.
9. The site lies within the CA, which covers a large part of the town centre. The CA's significance lies with the age and architectural interest of many of the older properties. This interest is particularly notable when walking along Parsonage Street as it contains a number of listed buildings. However, none of the buildings with elevations that face onto the walkway are listed and the group of street furniture already detracts from views towards older properties near the junction of the walkway with Parsonage Street. As such, the appeal site and the walkway make no meaningful positive contribution to the visual qualities or historic significance of the CA.

10. The existing booth is of functional appearance and it is seen amongst the cluster of street furniture items. Its removal would cause no harm to the street scene.
11. The proposed hub would be positioned slightly away from the location of the kiosk to be removed, although it would still be fairly near to the existing post box. The hub unit would be clearly seen when moving along the walkway and when looking towards the supermarket from Parsonage Street. It would also be obvious from the direction of Castle Street looking towards Parsonage Street and from overlooking windows in nearby properties. Therefore, the development would have a noticeable visual effect on the public realm and at a point where people are walking towards and away from a main shopping street within the town.
12. The proposal would introduce a new type of structure to the street scene. Also, the unit would be taller and slightly wider than the existing booth and so it would be more prominent when looking along the walkway in either direction. Even so, the hub would not stand out as an isolated street feature given its proximity to the cluster of furniture that would be retained. Moreover, whilst different in appearance to the booth, the unit would fit in with the group of street features and the commercial nature of the locality. The removal of the telephone booth would ensure the hub avoids any significant increase in visual clutter of street furniture.
13. The modern and sleek appearance of the hub would contrast sharply with the traditional architecture of the older buildings in the town centre. However, the unit would be away from Parsonage Street and within the walkway where there is no strong sense of historic townscape. Also, the development would not spoil any views of particular visual interest and it would not detract from any notable architecture, particularly when compared to the existing telephone booth. Consequently, I find the proposal would not harm the significance of the CA.
14. For these reasons, I conclude in respect of Appeal A that the hub would have an acceptable effect on the character and appearance of the area. Also, it would preserve or enhance the character or appearance of the CA. In these regards, it would accord with policies CP14, ES10 and ES12 of the Stroud District Local Plan 2015 (the LP) as well as policy DC1 of the Dursley Neighbourhood Plan 2018 (the NP). Amongst other things, these policies seek to ensure development is well designed and respects its surroundings and the historic environment. The Council's refusal reasons also refer to NP policy TC1 but this contains no provisions relevant to this matter.

Visual amenity (appeal B).

15. The hub would incorporate a display screen on each side, with 1 facing towards Parsonage Street and the other facing towards the supermarket and Castle Street. The displays would be illuminated and would show a series of static images. The displays would be visible by those moving along the walkway and they would also be seen at a distance from Parsonage Street and Castle Street.
16. The phone kiosk to be removed already includes advertisement space on the one side. Also, there are signs attached to the shops and other units that face onto the walkway and I saw a significant number of free-standing signs on the pavement near to the appeal site. The displays on the hub would appear in keeping with the existing advertisements and the commercial nature of the locality. Also, the hub would be near to an existing street lamp and so the illumination of the advertisements would not appear unusually bright within a darkened area. The

displays would be modern additions to the CA but they would be seen within a commercial area alongside shops and other advertisements rather than in a street where historic buildings are prevalent. Therefore, the displays would cause no detriment to the attractive qualities or the nature of the CA.

17. For these reasons, I conclude the advertisements would not harm the character and appearance of the CA and they would have an acceptable effect on the visual amenity of the area. In these respects, they would accord with LP policies CP14, ES10 and ES12 and NP policy DC1, insofar as these are relevant in the determination of the advertisement appeal.

Other Matters

18. Interested parties have raised a number of other concerns and points. The appeal site is a short distance away from listed buildings on Parsonage Street including the post office and properties number 17-21, 29 and 41. However, the hub unit would not be seen with these buildings and so it would not affect their settings nor their significance.
19. The hub would provide a range of facilities including public wifi and small cell 5G telecommunications coverage. As such it represents communications infrastructure as supported in general terms under section 10 of the National Planning Policy Framework (the Framework). Concerns have been raised that the hub is not needed but under paragraph 123 of the Framework the need for an electronic communications system should not be questioned. Moreover, the Advert Regulations do not require a need for the proposed displays to be firmly established or that they should serve any public benefit.
20. Concerns are also raised over the potential effects of the development on health. The appellant has provided a declaration of conformity with guidelines published by the International Commission on Non-Ionizing Radiation Protection (ICNIRP). The Framework advises against the setting of health safeguards different to the ICNIRP guidelines. No sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy is justified. There is no substantive evidence to indicate illumination of the displays would cause eye damage or that the hub would unacceptably affect human health through increased use of phones or screens.
21. The hub would not meaningfully obstruct the free movement of pedestrians as it would be located on a wide pavement area and as it would replace a telephone booth. Compared to the kiosk, the hub would not significantly obstruct views along the walkway and it would not provide a hiding spot that would undermine pedestrians' sense of safety. The hub is unlikely to attract anti-social behaviour and graffiti as it would be overlooked from windows in nearby properties and it would be near to street lights.
22. The unit would be set back from Castle Street so it would not distract drivers to such an extent to prejudice highway safety. There is no indication that the hub would affect wildlife and any harm in these respects is unlikely given the town centre location. I am taken to no policy that requires development to avoid the use of energy and in any event the submissions indicate the hub would be powered using renewable, carbon free energy. There is no indication that the hub would include surveillance cameras but even if they were provided I fail to see how these would unduly harm the privacy of individuals walking along a public highway.

23. None of the above concerns or points justify dismissing the appeals. As such, they fail to affect my overall conclusions.

Conditions

24. I have considered the conditions suggested by the Council against relevant advice as set out in the Framework. Also, I have had regard to the additional conditions suggested by the appellant.
25. For appeal A, I have attached a condition that requires the development to be carried out in accordance with the approved drawings in the interests of clarity. To ensure the development does not result in a proliferation of street furniture I have imposed a condition that requires the removal of the existing telephone kiosk. A condition that requires the pavement to be made good following the erection of the hub is needed in the interests of public safety.
26. For appeal B, I have imposed the conditions suggested by the appellant on the level of illumination, no moving images, minimum display time for each image and transition between images. Also, I have included the suggested condition that prevents advertisements that resemble traffic signs. These conditions are necessary in the interests of visual amenity and to ensure the displays do not cause a safety concern by unduly distracting drivers on Castle Street.

Conclusions

27. For the reasons given above, I conclude that both appeals should be allowed.

Jonathan Edwards

INSPECTOR

SCHEDULE OF CONDITIONS FOR APPEAL A - APP/C1625/W/25/3369080

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing nos 001 revision B, 002 revision B and 003 revision B.
- 3) Within 3 months of the commencement of the development hereby permitted the existing telephone booth shown to be removed on the approved plans shall be removed in its entirety and the land made good to the same conditions as the adjacent land.
- 4) The street hub hereby permitted shall not be first used or turned on until the pavement surrounding the hub has been made good to the same condition as the adjacent land.

SCHEDULE OF CONDITIONS FOR APPEAL B - APP/C1625/H/25/3369081

- 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.
- 4) 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 different content and the displays shall include a mechanism to freeze the image in the event of a malfunction.
- 5) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.