



Appeal Decision

Site visit made on 7 May 2026

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st June 2026

Appeal A: Ref: 6004722

Footpath Outside 28 Yarm Lane, Stockton-on-Tees, TS18 1ET

- 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 Verity Cheyne of BT Group Plc against the decision of Stockton-on-Tees Borough Council.
 - The application Ref is 25/2146/FUL.
 - The development proposed is installation of new BT street hub and associated display of advertisement panels to both sides of the unit.
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Appeal B: Ref: 6004723

Footpath Outside 28 Yarm Lane, Stockton-on-Tees, TS18 1ET

- 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 Verity Cheyne of BT Group Plc against the decision of Stockton-on-Tees Borough Council.
 - The application Ref is 25/2147/ADV.
 - The advertisement proposed is installation of new BT street hub and associated display of advertisement panels to both sides of the unit.
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Decision

Appeal A: Ref: 6004722

1. The appeal is dismissed.

Appeal B: Ref: 6004723

2. The appeal is dismissed.

Preliminary Matters

3. Various wordings for the location and the description of the proposals have been given in the submitted documents. However, in the interests of consistency I have used the location and descriptions as given in the appellant's Appeal Statement.
4. The proposals are located on the same site and relate to each other. I have therefore considered the appeals in a single decision letter to avoid repetition. I have also dealt with 2 appeals¹ for similar proposals elsewhere in the Council's area, and due to these similarities there will be some repetition in the respective decisions letters. However, I have considered each proposal on its individual merits.

¹ Appeal Refs: 6004725, 6004726

5. In relation to Appeal B, the reasons for refusal refer to the policies of the development plan and a supplementary planning document (SPD). However, the Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken the development plan policies and SPD into account, they have not been a decisive consideration in my determination of this appeal.

Main Issues

6. The main issues in respect of Appeal A are the effect on the character and appearance of the area, with due regard to the Stockton Town Centre Conservation Area; and crime and anti-social behaviour.
7. The main issues in respect of Appeal B are the effect on amenity.

Reasons

Character, Appearance and Amenity

8. The appeal site is located on a wide area of footpath to the front of a number of commercial properties in Stockton town centre. The pavement includes some street furniture including litter bins, a service cabinet, bollards, railings, lampposts and poles. However, the existing features are of a limited height or are of a slim appearance, and notwithstanding the amount of street furniture this extent of footpath has an open character.
9. The appeal site is within the Stockton Town Centre Conservation Area (CA). As set out in the CA Appraisal, the CA has many fine buildings of note of varying architectural styles. Cumulatively, the layout and original elements of the town centre combine to create a pleasant and attractive town centre of some architectural and historic note, and it is these features that contribute to the importance of the CA as a designated heritage asset.
10. However, the CA Appraisal also notes that historic frontages are often retained only above street level. In particular, the CA Appraisal identifies the poor streetscape of Yarm Lane and that the only evidence of fine buildings can be found at first and second floor level, at ground level these have been greatly altered. The CA Appraisal recognises this as a key street requiring improvements if this is to remain within the CA.
11. However, even within the poor streetscape of Yarm Lane at ground level, the proposed street hub would be a prominent and obtrusive feature which would be distinctly separate from the commercial frontages. The proposed illuminated advertisements would add to this jarring appearance, with the illumination and changing nature of the advertisements drawing the eye. Whilst the hub may be slimmer in profile than a typical phone kiosk, it would introduce a freestanding slab-like feature with illuminated changing displays into part of the streetscape where no such feature currently exists, introducing obtrusive clutter into a relatively open area.
12. In views along the streetscape from the east, the proposals would be viewed against the facade of a public house which projects forward of the building line of the commercial properties closest to the appeal proposal. However, this would do little to mitigate for the intrusive appearance of the proposal due to the separation

distance from the appeal site and the contrast between the modern appearance of the proposed hub compared to the traditional facade of the public house.

13. Reference has been made to the removal of a phone kiosk in the vicinity of the site. However, this was not in place at the time of my visit and its removal is therefore not dependant on the appeal proposal. In any event, based on the evidence before me, the kiosk was of a traditional appearance which complemented this streetscape within the CA and also did not include illuminated displays. The previous phone kiosk does not therefore establish a principal in favour of the form and appearance of the appeal proposals.
14. Due to their obtrusive location and design, the proposals would lead to significant harm to the character and appearance of the area. The proposals would also fail to preserve or enhance the character and appearance of the CA. The harm to this designated heritage asset would be less than substantial, but I attach great weight to the conservation of the CA.
15. The harm to the CA should be weighed against the public benefits of the proposals, and I have had regard to the benefits identified by the appellant. This includes benefits relating to Wi-Fi and connectivity, access to public and emergency services, device charging, environmental and traffic monitoring, as well as business, council, community and emergency services messaging. However, many of these benefits are already available as part of general service provision and may also be provided by infrastructure of a more appropriate design and location. The illuminated advertisements may also provide indirect lighting, although the area is already served by street lighting.
16. In respect of Appeal A, these benefits therefore carry limited weight in favour of the appeal proposal, and they do not outweigh the significant harm I have identified. In respect of Appeal B, advertisements should be subject to control only in the interests of amenity and public safety, and these benefits therefore weigh neither for nor against the appeal.
17. For the reason stated above, in respect of Appeal A, the proposals would lead to significant harm to the character and appearance of the area, and would fail to preserve or enhance the CA. The great weight I give to the harm in respect of the designated heritage asset of the CA would not be outweighed by the limited public benefits arising from the proposal. In respect of Appeal B, the proposal would lead to significant harm to the amenity of the area. The proposals would therefore be contrary to the public realm, design principles and heritage asset requirements of Policies SD1, SD5, SD8 and HE2 of the Stockton-on-Tees Local Plan 2019. The proposals would also conflict with the National Planning Policy Framework (the Framework) with regards to achieving well-designed places as well as conserving and enhancing the historic environment.
18. The advertisements would also not comply with the advice of the Shop Front Design and Advertisements SPD with regards to clutter and appearance resulting in harm to visual amenity.

Crime and Anti-Social Behaviour (Appeal A only)

19. The appeal site is in an area that has faced a variety of crime and anti-social behaviour issues, as is set out in the comments of the Council's Community Safety Team as well as Cleveland Police. Although the 'Clear, Hold, Build' community

safety initiative appears to be winding down, the evidence suggests that the area remains vulnerable as is indicated by the recorded crimes set out by Cleveland Police as well as the ongoing 'Operation Nightfall'.

20. Within this context, there is a significant possibility the services provided by the hub would be a focus for crime and anti-social behaviour in the area. This would include the freephone and wi-fi facilities, and the location of the hub would potentially be a gathering point for activities that have been identified by consultees and the Council.
21. The appellant contends that there is no evidence that the street hub unit would encourage anti-social behaviour, and that it does not provide an enclosed space that would encourage people to loiter. However, the Police have referred to issues arising in locations elsewhere associated with the freephone facility, and whilst this is anecdotal I have no reason to doubt that this is an accurate summary of the issues that can be created by facilities such as this.
22. The appellant has submitted an Anti-Social Behaviour Management Plan which refers to measures including regular monitoring of the site and the use of automatic anti-social call restriction. However, this also states that suspected criminal behaviour may need to be managed through official police channels and the appellant also refers to the ability to adapt operational controls in agreement with the police. To my mind, this would mean adding unacceptably to the workload of the police in an area where there is clear evidence of elevated levels of crime and anti-social behaviour.
23. Although the appeal site is located in a commercial town centre area rather than a residential setting this does not diminish the harm that can arise from anti-social behaviour. Although no objections have been received from nearby properties this does not lead me to a different conclusion about the harm arising from anti-social behaviour in this location.
24. The appellant submits that an existing kiosk will be removed as part of the proposal thereby helping to reduce the risk of crime. However, the kiosk had been removed at the time of my visit and this matter does not therefore weigh in favour of the proposal.
25. I therefore conclude that the proposal would exacerbate issues of crime and anti-social behaviour in this area. The proposal therefore conflicts with Policy SD8 of the Local Plan with regards to being designed to reduce crime. The proposal is also contrary to the Framework with regards to promoting safe communities.

Other Matters

26. With regards to Appeal B, the Council has not referred to matters of public safety in its reasons for refusal. Although I have identified issues of crime and anti-social behaviour in respect of Appeal A, this is in relation to the hub unit rather than the advertisements. On that basis, I have no reason to disagree with the Council that the proposal which is the subject of Appeal B would not lead to harm to public safety.
27. Reference has been made to existing digital advertising units elsewhere in the Council's area as well as other Appeal Decisions. However, it has not been demonstrated that these are a direct parallel to the appeal proposals in respect of

matters including the form of the units, the site context, or the circumstances that led to those units being allowed. In any event, I have determined the appeals before me on their own merits.

Conclusion

28. Considered individually and cumulatively, the public benefits arising from the proposals carry no more than limited weight in favour of the appeals, and would not outweigh the harm I have identified. For the reasons given, I conclude that both Appeal A and Appeal B should be dismissed.

David Cross

INSPECTOR