
Appeal Decisions

Site visit made on 9 September 2025

by **Samuel Watson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th November 2025

Appeal A Ref: APP/E3715/W/25/3368190

Footpath Outside 28-31 High Street, Rugby, CV21 3BW

- 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 Group PLC against the decision of Rugby Borough Council.
 - The application Ref is R25/0226.
 - The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
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Appeal B Ref: APP/E3715/H/25/3368191

Footpath Outside 28-31 High Street, Rugby, CV21 3BW

- 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 BT Group PLC against the decision of Rugby Borough Council.
 - The application Ref is R25/0229.
 - The advertisement proposed is advertisement consent for 2no. digital 75 inch LCD display screens, one on each side of the Street Hub unit.
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Decision

Appeal A

1. The appeal is dismissed

Appeal B

2. The appeal is dismissed

Main Issue

3. The main issue is the effect of the proposals on the character, appearance and visual amenity of the surrounding area with particular regard to the Rugby Town Centre Conservation Area and the setting of a number of listed buildings.

Reasons

4. The appeal site sits within the Rugby Town Centre Conservation Area (the CA). I have not been provided with a conservation area appraisal for this area, but it covers the predominantly commercial core of Rugby. The portion of the CA surrounding the appeal site comprises the High Street and adjacent Sheep Street. These contain primarily narrow shop frontages on former burgage plots with some modern infills and wider, historic, feature buildings. I find that the significance of this area stems in part from the concentration of historic commercial buildings that

retain historic features. It also stems from the layout of the buildings along the broad High Street and the legibility of their historic burgage plots.

5. The appeal site is also set closely to a number of listed buildings, namely the School House¹ and Old Quad Buildings² at Rugby School, and Numbers 4³ and 37⁴ High Street.
6. The listed buildings formed by the School House and Old Quad Building were both built in the early 1800s by Henry Hakewell in a Tudor style and are both finished in brown brick with stone dressings. Together they create a prominent and imposing feature terminating views along the pedestrianised High Street. At least in part, their significance stems from their age, scale and the extent to which their historic appearance is still intact.
7. In the opposite direction from the appeal site are numbers 4 and 37 High Street. Number 4 was built in the early 1900s with a modern shop front but, on the first floor, is finished in ashlar to a 1700s style. This building is much wider than is typical of the High Street but presents a sense of verticality through its use of pilasters and tall portrait windows. Opposite this building is number 37, built in the mid 1800s to the Gothic style. It is finished in red brick and decorated by black brick and stone. In contrast to number 4 it is a tall, narrow building that stands proud above the rest of the street. Together the significance of these two buildings stem, in part, from their age, appearance and their contribution to the understanding of the changing styles and commercial needs of Rugby.
8. Although the style of the Street Hub would be relatively simple in design, it would stand at nearly three metres in height and have a striking appearance by way of its stark, modern design. I am mindful that the street scene is predominantly commercial, however, the character of the surrounding buildings and street furniture is traditional in construction and design. Therefore, its height, scale and appearance, when combined with its prominent siting perpendicular to the pedestrian flow, would result in an intrusive and incongruous feature. As such, the proposed Street Hub would harm the character and appearance of the area.
9. Additional harm would occur as a result of the large digital advertising screens on either side of the Street Hub. As a result of their digital nature and illumination, they would introduce a modern and visually intrusive addition to the street scene. This would be especially so at night when, even if dimmed, the illumination would cast a multicoloured hue across the otherwise traditional High Street.
10. Given the harm to character and appearance I have identified, it follows that the contribution the appeal site makes to the conservation area would be diminished as a result of the proposed Street Hub. In this case the diminishment would be to such an extent that harm to the significance of this designated heritage asset would occur.
11. The introduction of a large structure within the street would also partially obscure views to and from the nearby listed buildings highlighted above. In views of these buildings, the modern, stark, design of the structure and the coloured illumination of the advertising would not respect the historic significance of these heritage

¹ School House at Rugby School, Grade II* (List Entry Number 1183930)

² Old Quad Buildings at Rugby School, Grade II* (List Entry Number 1035021)

³ 4 High Street, Grade II (List Entry Number 1365007)

⁴ 37 High Street, Grade II (List Entry Number 1183748)

assets and its presence would alter their setting. The proposals would not, therefore, preserve the setting of the listed buildings to the detriment of their significance.

12. Although there are some elements within the surrounding area, including buildings and structures that may not positively contribute to the historic environment, this does not justify the provision of additional harmful development.
13. Against this background, and given the scale of the proposal, I find that a modest degree of less than substantial harm to the significance of the identified heritage assets would occur. Although less than substantial, the Framework is clear that great weight should be given to any asset's conservation. Paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
14. It has been suggested by the appellant that the proposal would provide free public Wi-Fi, free advertising space for the Council and local businesses, and free access to environmental data from sensors on the Street Hub. Although these could form public benefits through mobile connectivity, support for local advertising, and the environmental data, no mechanisms have been put forward to secure these public benefits.
15. The proposed Street Hub would result in the removal of two low quality telephone boxes. Although these do not positively contribute to the CA and setting of listed buildings, given the above, their replacement would not result in a public benefit. Moreover, their current siting does not result in an unacceptable degree of clutter to the detriment of the surrounding area. It has also not been demonstrated that the Council would be otherwise liable for the cost of removing the existing telephone boxes.
16. The design of the proposed Street Hub would likely be more secure and provide fewer opportunities for anti-social behaviour than the existing telephone boxes. It would also provide access to an emergency phone and would be powered by a renewable energy source. These matters would comprise public benefits to crime, safety and the environment but given the size of the scheme these benefits would collectively be modest.
17. Although I have identified public benefits, they collectively form only a modest public benefit which, in the circumstances of this case, do not outweigh the harm to the designated heritage assets.
18. The proposed Street Hub would adversely affect the character and appearance of the surrounding area, including the CA and the setting of a number of listed buildings, and no public benefits have been identified that outweigh this harm. The advertising proposed to either side of the Street Hub would also harm the amenity of this area and the associated historic environment. The proposal therefore conflicts with Policies TC1, SDC1 and SDC3 of the Rugby Borough Council Local Plan 2011-2031. These collectively, and amongst other matters, require developments to be of a high-quality design that compliments and contributes to townscape distinctiveness and sense of place with regard to design, massing and materials. They also require the proposals sustain or enhance the significance of heritage assets. The proposal also conflicts with Sections 12 and 16 of the National Planning Policy Framework (the Framework) which, in part, seek to create well-designed places and conserve the historic environment.

Other Matters

19. Several examples of planning appeals have been set out within the appellant's submissions. I have not been provided with the full details and facts of these schemes. Whilst other appeal decisions are capable of being material considerations, all decisions turn on their own particular circumstances based on the facts and evidence before those decision-makers or Inspectors at the time. I am, in particular, mindful that the Dundee example is within Scotland, and so is covered by a different planning system. However, even those within England are in significantly different locations. Therefore, I cannot make any meaningful comparisons to the appeal schemes before me, which I must consider on their own merits.

Conclusion

20. For the reasons given above, and having regard to all matters raised as well as the development plan as a whole, appeals A and B are dismissed.

Samuel Watson

INSPECTOR