

Application Number:	P/FUL/2025/06651
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Pavement opposite 66-67 The Esplanade Weymouth DT4 8DE
Proposal:	Installation of 1no. BT Street Hub and removal of associated BT payphone
Applicant name:	Verity Cheyne
Case Officer:	Rob Piggot
Ward Member(s):	Cllr Orrell

1. Reason application is going to committee: The application site is land owned by Dorset Council.

2. Summary of recommendation:

2.1 Refuse for the following reason:

The proposed BT Street Hub would be a harmful addition to the historically sensitive and significant Esplanade promenade within the Weymouth Town Centre Conservation Area, given its siting, scale, design, appearance and colour with inbuilt LED screens being visually intrusive, adding to the proliferation of street furniture and being read alongside existing LED advertising screens which have been installed along the Esplanade. Whilst it is noted that there would be public benefits from the proposed hub, namely increased coverage of 5G and the provision of Wi-Fi, this is not considered to outweigh the less than substantial harm to the character and appearance of the Conservation Area which the hub would cause. Furthermore, it has not been demonstrated or evidenced that suitable alternatives, which would cause less harm to visual amenity and the Conservation Area, for the provision of Wi-Fi and 5G have been considered. Therefore, the proposal would be contrary to Policies COM10, ENV4, ENV10, ENV12, ENV14 and WEY1 of the West Dorset, Weymouth and Portland Local Plan (2015) and Weymouth Neighbourhood Plan (2026) policies W13, W39, W44 and W45 and chapters 10 and 16 of the National Planning Policy Framework.

3. Key planning issues

Issue	Conclusion
Principle of development	Supported by Local Plan policy SUS2, however, would not be in accordance with Local Plan policy COM10, which requires demonstration that the 5G and Wi-Fi proposed would not be possible through other means.
Scale, design, impact on character and appearance	The proposed unit is considered to be in relatively close proximity to recently installed LED advertising units of similar size and function. It is considered that the unit would result in the proliferation of advertising and increase both physical and visual clutter on the promenade.

Issue	Conclusion
Impact on the living conditions of the occupants and neighbouring properties	The BT Hub would not be harmful to residential amenity, given the separation distance and north/south orientation of the unit.
Impact on landscape or heritage assets	The scheme would be located in a sensitive historic area, in Weymouth Town Centre Conservation Area. It is considered that the unit would harm the significance of the Conservation Area, being detrimental to the street scene due to the height, mass, colour and illumination of the proposed structure and predominantly due to the accumulation of visual clutter in this historic setting.
Flood risk and drainage	Whilst the unit would be located in Zone 3 flood risk area, it would be a less vulnerable development and is not considered to lead to further risk of flooding.
Economic benefits	The provision of Wi-Fi would be of benefit to the tourist offering for Weymouth, with increased 5G coverage improving mobile connectivity for both personal and business use, along the Esplanade.
Highway impacts, safety, access and parking	The proposal would be acceptable in terms of impact to highway safety, with conditions required to ensure the units would not be distracting to road users.
Crime / Policing	The unit would be acceptable, where a Anti-Social Behaviour Management Plan is conditioned.
Environmental Implications	Given the scale and nature of the proposal, it is not considered there would be any environmental or ecological impacts.

4. Description of site

- 4.1 The application site is located on the promenade/walkway which runs along the northern side of The Esplanade, being in the middle of the promenade, opposite 66 & 67 The Esplanade, and King's Statue (George III), with the café/kiosk known as The View being approximately 20m to the southeast. It is within Weymouth's Defined Development Boundary (DDB), the Weymouth Town Centre Strategy Area (WEY1), and The Esplanade South (WEY5).
- 4.2 The site is within Weymouth Town Centre Conservation Area, and within proximity of numerous listed buildings. These include Johnstone Row (Grade II), Statue House (Grade II*) and King's Statue (George III) (Grade I). The Weymouth Town Centre Conservation Area Character Appraisal (2012) shows a number of key views in the local area, particularly from the beach towards the Esplanade.
- 4.3 The site is identified in the Strategic Flood Risk Assessment and the Environment Agency's National Flood Maps for Planning as being at risk of flooding now and in the future.

5. Description of Development

- 5.1 Planning permission is sought to replace an existing payphone kiosk with an illuminated LED advertising unit which incorporates Wi-Fi and 5G technologies, known as a 'BT Street Hub'. The proposed hub would be approximately 1.2m W x 2.98m H x 0.35m D. The existing telephone kiosk/booth to be removed is approximately 0.9m W x 2.2m H.
- 5.2 It has been confirmed during the life of the application that the unit would provide 5G and Wi-Fi transmission/coverage. Wi-Fi coverage would cover an approximately 150m radius, and 5G coverage would be approximately 150m – 200m. These would be activated upon installation and would come at no cost to the Local Authority or end user.

6. Background and relevant planning history

P/PAP/2022/00737 - Decision: RES - Decision Date: 17/05/2023

Street hub unit

P/ADV/2024/02760 - Decision: GRA - Decision Date: 05/07/2025

Install internally illuminated double sided digital advertising panel to replace existing advertising drum

P/PAP/2025/00516 - Decision: RES - Decision Date: 20/08/2025

Proposed Street Hubs

7. List of constraints

Grade: II* Listed Building: STATUE HOUSE, JOHNSTONE ROW (TERRACE) List Entry: 1038260; - Distance: 16.22

Grade: II Listed Building: JOHNSTONE ROW (TERRACE) List Entry: 1038259; - Distance: 23.65

Weymouth Town Centre Conservation Area

LP - WEY 1; Weymouth Town Centre Strategy; Weymouth Town Centre

LP - SUS2; Defined Development Boundary; Weymouth

LP - WEY5; The Esplanade (South); The Esplanade (South)

LP - ENV 4; Area of Archaeological Potential; Town Centre North of Harbour, Weymouth -

Dorset Council Land Freehold: Weymouth Beach Promenade from Weymouth Pavilion to Brunswick Terrace, Weymouth - Reference FH004434

Dorset Council Land Freehold: Weymouth Beach from Alexandra Gardens to Brunswick Terrace, Weymouth - Reference FH004439

Natural England - RAMSAR - Distance: 3140.8

Special Area of Conservation (SAC) (5km buffer): Isle of Portland to Studland Cliffs (UK0019861); - Distance: 3057.02

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 3120.71

Special Area of Conservation (SAC) (5km buffer): Crookhill Brick Pit (UK0030349); - Distance: 3489.67

Site of Special Scientific Interest (SSSI) impact risk zone

Flood Zone 3 (record ID 11253093.0)

EA - Spatial Flood Defences

Flood Risk Zone 3a

SFRA 2 Boundary

Portland heliport consultation zone (within 13km) - Distance: 4766.17

8. Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. Dorset Council – Highways: No objection, however concerns with the light levels/brightness both during daytime and nighttime. Level of illumination to be reduced to match ambient levels, not a constant 5000cd/m², with night levels to be 300cd/m². Note that there should be a mechanism to default to a blank screen in the event of malfunction/when not in use.

Recommend that a condition be placed to prevent intermittent/flashing lights, exposed cold cathode tubing, animation or reflective material, and that a lighting scheme be submitted to the Local Planning Authority for agreement.

2. Dorset Council - Env. Services - Protection: No adverse comment.

3. Dorset Council - Conservation Officers: There is no objection to the removal of the existing BT Payphone. However, the proposed installation of 1no. BT Street Hub is considered detrimental to the street scene due to the height, mass, colour, animation and illumination of the proposed structure and predominantly due to the accumulation of visual clutter in this historic setting. The proposal would not enhance the historic promenade, would have a negative impact on the neighbouring heritage assets and would have a detrimental effect on the special character and appearance of the Conservation Area.

4. Dorset Council - Asset & Property: No comments received.

5. Dorset Council Telecommunications Lead: Significant degradation in user-experience from all four mobile phone networks during summer months. Connectivity in Weymouth Town Centre would be beneficial, with significant number of visitors, businesses and residents, and would support digital inclusion. Any Wi-Fi, 5G should be correct technology and to be maintained by provider.

6. Environment Agency: This application does not fall within the criteria set out in our External Consultation Checklist which defines the planning applications we should be consulted on. We therefore consider we should not be consulted, and we will not be providing any comments on this proposal.

7. Dorset Police Architectural Liaison Officer

Concerns raised as follows:

- Where free Wi-Fi is available, it can attract groups of people who then act anti-socially
- The proposed locations fall within areas with higher-than-average rates of crime and ASB
- Colleagues in other police forces have advised that there have been incidents of misuse of the 999-call button, mainly in city centre or high traffic locations in the night-time economy.
- The ability to make free calls could allow abuse of that service, including the hubs being used to facilitate the distribution of drugs or nuisance calls, particularly for domestic

abuse/stalking victims. It is noted that incoming calls have been deactivated, thus preventing misuse for drug distribution.

- The hubs are solid units and would therefore block natural, formal and informal surveillance (including CCTV) and offer a hiding opportunity for offenders.
- No consultation/contact has been made with Dorset Police to date, despite identifying as such in the Anti-Social Management plan submitted.

Whilst Dorset Police does not formally object to this planning application of BT Street Hub installations in principle, at this stage, in order to ensure Dorset Council is able to comply with its duty under Section 17 of the Crime and Disorder Act to do all that it reasonably can to prevent crime and disorder in its area to include anti-social behaviour. Conditions are recommended, they being the activation of integrated CCTV camera; Strict compliance with Street Hub Anti-Social Behaviour Management Plan; Removal of existing BT Payphone.

8. Weymouth Town Council: The Council objects to the application on the grounds of layout and density, design, visual appearance and materials, and the impact on the Conservation Area. This is subject to Weymouth not losing out on Wi-Fi enhancement.

9. Melcombe Regis Ward Member: No comments received.

10. Historic England: We suggest that you seek the views of your specialist conservation and archaeological advisers.

Representations received

1 objection has been received and 1 comment.

Summary of comments of objections:

- While some "useful" features -Wi-Fi, public information ads may be included to make it palatable, it will be essentially be a brightly lit screen scrolling advertisement.
- The units would be a distraction, and are in total contrast to the old buildings, the Victorian shelters, the simple wooden cafes and decks.

Summary of comments of support:

- None

Summary of comments:

- The image shows a charcoal coloured device, other screens on the promenade are in the "Weymouth blue" to match the local area colour scheme and to be less visually obtrusive in the Conservation Area. If approved, it is hoped that it is conditioned that the device be the correct colour in this sensitive area.

9. Duties

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted West Dorset and Weymouth & Portland Local Plan:

The following policies are considered to be relevant to this proposal:

INT1: Presumption in favour of sustainable development

ENV4: Heritage assets

ENV5: Flood risk

ENV10: The landscape and townscape setting

ENV12: The design and positioning of buildings

ENV14: Shopfronts & advertisements

ENV15: Efficient and appropriate use of land

ENV16: Amenity

SUS2: Distribution of development

ECON4: Retail and Town Centre Development

COM7: Creating a safe & efficient transport network

COM10: The Provision of utilities services infrastructure

WEY1: Town Centre Strategy

WEY5: The Esplanade (South)

Made Neighbourhood Plans

Weymouth Neighbourhood Plan 2021 to 2039 (made 29/01/2026):

W13: Panoramas, Vistas and Views

W14: Development Boundaries

W34: Sustainable Development

W39: Weymouth Town Centre

W44: Design

W45: Heritage Assets

W46: Transport and Travel

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Local Nature Recovery Strategy

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.
- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

Historic England: Streets For All (2018)

National Planning Practice Guidance

All of Dorset:

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Supplementary Planning Documents/Guidance For West Dorset area:

Weymouth & Portland Listed Buildings and Conservation Areas (2002)

11. Human rights

Article 6 - right to a fair trial.

Article 8 - right to respect for private and family life and home.

The first protocol of Article 1 protection of property.

This recommendation is based on adopted development plan policies, the application of which does not prejudice the human rights of the applicant or any third party.

12. Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims: -

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. The Street Hub proposed is not of such a size that it would block or prevent access to pavement by those with buggies or using a wheelchair/mobility scooter.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material considerations	
Improved digital offering to visitors and residents in Weymouth, providing potential wider economic benefits to businesses in Weymouth.	
Improved digital inclusion	
Improved access and facilitation of emergency services communication – both through the 5G and Wi-Fi functionality, 999 calling facilities, and the use of the LED screens for emergency messaging.	
Potential for improved environmental monitoring, through air/odour testing.	

What	Amount / value
Non material considerations	
None identified.	

14. Planning Assessment

Principle of development

- 14.1 The development would be located within the Weymouth Defined Development Boundary (DDB) and therefore would be supported by policy SUS2 in the Local Plan.
- 14.2 Policy COM10 of the local plan specifically refers to telecommunications development, saying it will be supported, provided:
- *‘the development will not be unduly detrimental to the appearance of the locality, particularly in sensitive areas of landscape, nature conservation or townscape importance; and*
 - *the applicant has demonstrated that there is a need for the technology and that all technically feasible alternatives have been explored and that the application proposal results in the least visual harm.*
- 14.3 The National Planning Policy Framework (NPPF) says at paragraph 119 that “planning policies and decision should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.”
- 14.4 Paragraph 120 goes on to say “The number of radio and electronic communications masts, and the site for such installations should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required (such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed and camouflaged where appropriate.”
- 14.5 In terms of demonstrating there is a need for the telecommunications technology, it is considered that this would not be a relevant consideration with regard to the installation of 5G and Wi-Fi, as paragraph 123 of Chapter 10 of the NPPF clearly states that councils are *‘not to question the need for an electronic communications system’*. As such that part of policy COM10 is considered to be out of date. In addition, whilst paragraph 119 of the NPPF says that planning decisions should support the expansion of electronic communications networks, it is considered that the units would not be operating solely as communications systems, with the LED advertising panels being an integral function of each unit.
- 14.6 Whilst the applicant isn’t required to demonstrate the need for the 5G and Wi-Fi technology they are encouraged, in accordance with paragraph 120 of the NPPF, to keep sites to a minimum and to explore the use of existing masts, buildings and other structures. In accordance with Policy COM10 the applicant should demonstrate that they have explored all technically feasible alternatives and that the least visually harmful site has been chosen. As part of this application the applicant has not submitted any information to demonstrate that all other alternatives for the provision of the 5G technology have been explored, and that this site represents the least visually harmful.
- 14.7 The proposed BT Hub is considered to have a detrimental impact on the appearance of the Esplanade and promenade, as a sensitive area of townscape importance. Whilst the removal of an existing telephone kiosk would be considered a betterment, the proposed hubs are 36% higher, at 3m, compared to 2.2m, and 33% wider at 1.2m, compared to 0.9m.

The units would also include LED panels on either side, which would be utilised for advertising purposes. Whilst it is acknowledged that LED panel units have been approved and installed in close vicinity along the Esplanade, under application P/ADV/2024/02760, it is considered that the BT Hub would be in close proximity to these other units recently installed, both physically and visually, and that the cumulative effect would appear as a proliferation of this form of technology, cluttering the promenade and being harmful to the setting of heritage assets in close proximity (this will be further considered later in this report). It should be noted that this proposal is also subject to a separate application for advertisement consent, under P/ADV/2025/06384.

- 14.8 The BT Hub unit is considered to deliver public benefits, through the transmission of 5G and Wi-Fi coverage, and it has been confirmed by the Council's Telecommunications Lead that Weymouth has capacity issues in regard to both of these technologies. Telecommunications are defined as Community Infrastructure in the West Dorset, Weymouth and Portland Local Plan (2015). These public benefits would be both social and economic and would take the form of:
- improved digital offering to visitors and residents in Weymouth, providing potential wider economic benefits to businesses in Weymouth
 - improved digital inclusion
 - improved access and facilitation of emergency services communication – both through the 5G and Wi-Fi functionality, 999 calling facilities, and the use of the LED screens for emergency messaging
 - potential for improved environmental monitoring, through air/odour testing
- 14.9 It should be noted that existing LED advertising units along The Esplanade do also offer emergency service alert facilities, however, they do not include 999 calling facilities or the other public benefits identified above.
- 14.10 Therefore, whilst the proposal would accord with Local Plan policy SUS2, and would provide public benefits, it is not considered that the proposal would accord with policy COM10 given that it has not been demonstrated that technically feasible alternatives, which create less visual harm, have been explored. There is also conflict with paragraph 120 of the NPPF where it encourages the use of existing masts, buildings and other structures for new electronic communications capability.

Design and Character

- 14.11 The BT Hub is proposed to be located in a highly visible and sensitive area of The Esplanade, being within a high footfall area of the promenade, located at a key pedestrian junction of The Esplanade, in the wider setting of King George III statue. Further to this, the newly adopted Weymouth Neighbourhood Plan identifies The Esplanade as an important landscape feature, with the location of the BT Hub falling within a Key View Direction from Viewpoint V11 (Map15D in the Neighbourhood Plan). It is noted that The Esplanade, promenade and surrounding area can be characterised as illuminated during evening, nighttime, with various forms of street lighting in close proximity.
- 14.12 The proposal would result in the removal of an existing phone kiosk, however, as previously noted in 14.7 the proposed BT Hub unit would be sited in close proximity to an almost identical advertising unit, installed approximately 35m to the south of the proposed unit, with another approximately 60m to the north. It is considered that, cumulatively, they would appear as a proliferation of advertising on the promenade. Whilst it is acknowledged that the wider setting of the proposed unit would be characterised as illuminated, it is considered that the BT Hub would be read alongside the existing LED advertising units, thus cluttering the street scene, public realm and historical setting.
- 14.13 The proposal is considered to cause harm by virtue of its siting, scale, colour and illumination, and therefore it is not considered that the proposal contributes positively to the local identity and distinctiveness of The Esplanade, nor does it harmonise with the positive

character of the area. The proposal would therefore not accord with Local Plan Policies ENV10, ENV12, ENV14 and WEY1, nor Weymouth Neighbourhood Plan policies W13 and W44.

Heritage Impact

- 14.14 The proposal would be in the Weymouth Town Centre Conservation Area and would be in the setting of several heritage assets: King George III Statue (Grade I), 66-67 The Esplanade Johnstone Row (Grade II) and various Victorian Shelters along The Esplanade. The Weymouth Town Centre Conservation Area Character Appraisal (2012) shows a key view and a 'townscape effect' adjacent to the site. The significance of this part of the CA can be summarised as The Esplanade providing an important example of late Georgian town planning, related firmly to the sea and the historic uses of the late 18th and early 19th century that has defined the character of The Esplanade, which has been, and continues to be, associated with visitors, entertainment, leisure and fun. As such the CA is considered to have historic, architectural and communal/social heritage significance. Furthermore, the quality of The Esplanade and its bay have been recognised and appreciated since the start of noble and royal patronage of the Georgian resort and as such is considered to have aesthetic heritage significance. The CA appraisal sets out that *"The Esplanade is of national significance in the history of the seaside resort and in terms of social history"*.
- 14.15 The Council's Conservation officer has reviewed the proposal and has raised concerns with the height, mass, colour, animation and scale of the proposed structure, not being in accordance with the street furniture colour scheme along The Esplanade, and more specifically, being located between 2 no. existing LED advertising units. They state that: *'From my site visit it is evident that there are already many similar advertising boards along this historic promenade. Some are positioned closer than others, but several are visible in any one view.'* They further state that: *The height, mass, animated and illuminated form of the proposal would add a prominent and imposing feature to the Esplanade. The existing internally illuminated double sided digital advertising panels are already having an impact on the street scene, and it is considered that this proposal and would create an unacceptable accumulation of visual clutter in a prominent and historic location. Furthermore, the proposal would further impede views of the promenade and Esplanade buildings from the walkway and the Victorian shelters.'*
- 14.16 The Conservation Officer summarises that: *'Based on the assessment detailed below, there is no objection to the removal of the existing BT Payphone. However, the proposed installation of 1no. BT Street Hub is considered detrimental to the street scene due to the height, mass, colour, animation and illumination of the proposed structure and predominantly due to the accumulation of visual clutter in this historic setting. The proposal would not enhance the historic promenade, would have a negative impact on the neighbouring heritage assets and would have a detrimental effect on the special character and appearance of the Conservation Area'*. They then go on to conclude that the proposal would cause less than substantial harm, and that the public benefits would not outweigh this harm.
- 14.17 Given the significance of the Esplanade, as a key feature of Weymouth and the Conservation Area, the Conservation Officer's view is considered proportionate, and it is considered that the proposed BT Hub would lead to less than substantial harm to the Conservation Area. However, given distance and visual separation between the proposed unit and various individual heritage assets it is not considered that there would be harm to the setting of either King George Statue (40m to the west), the Victorian Shelter (75m to the south) nor 66-67 The Esplanade Statue House/Johnstone Row (20m to west). This notwithstanding, as has previously been identified in Section 13 above and paragraph 14.8, there are considered to be public benefits associated with the scheme. However, it is not considered that these public benefits outweigh the less than substantial harm identified.
- 14.18 On this basis the scheme is not considered to accord with Local Plan policy ENV4, Weymouth Neighbourhood Plan policies W39, W44 and W45, or Chapter 16 of the NPPF.

In reaching this conclusion regard has been had to Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity

- 14.19 The proposed BT Hub is considered to be acceptable in terms of impact to residential amenity, given that the unit would be oriented with the panels facing north and south. It is noted that the unit would allow for calling and there would be an audible element, however, it is not considered that this would be any worse than the general noise found on The Esplanade itself, with a road separating the unit from tourist and residential accommodation to the west.
- 14.20 The Environmental Health Team have reviewed the proposal and have no comments to make.
- 14.21 Notwithstanding the low level of impact to neighbouring properties, if the scheme were to be granted consent, then it is recommended that the lighting be controlled by way of a lighting management plan, to be agreed by the Local Planning Authority.

Flooding

- 14.22 The application site is subject to a higher risk of flooding, being within Flood Zone 3 in the National Flood Risk Assessment 2. That notwithstanding, the proposal is for a less vulnerable class of development, not being habitable, replacing a similar development, a phone kiosk, being on an area of existing hardstanding. The proposal is therefore not considered to pose any risk to safety and would accord with policy ENV5 of the Local Plan.

Highway Safety

- 14.23 The Highway Authority have reviewed the proposal and have stated that it would appear acceptable in principle, however this would be subject to conditions to ensure that illumination levels do not lead to a danger to highways safety, being overly bright and thereby distracting. This assessment is considered to be reasonable and proportionate and as such if consent were to be granted a lighting scheme should be agreed by the Local Planning Authority. Due to the size and siting of the unit it is not considered that it would restrict the flow of people moving along the promenade or restricts its width to an unacceptable degree.
- 14.24 On this basis the scheme is considered to accord with Local Plan policy COM7, Weymouth Neighbourhood Plan policy W46.

Crime/Policing

- 14.25 Comments have been received from Dorset Police, raising concerns that the BT Hub could be used for criminal purposes, and lead to an increase in anti-social behaviour, in an area which has a higher-than-average rate of crime and anti-social behaviour. It is suggested that the Wi-Fi and free calling facilities could lead to nuisance calls, and the solicitation of drugs. This notwithstanding, it is considered that the unit would also be of benefit where it would provide a facility for emergency calling, alongside the public benefits from Wi-Fi and 5G improvements, furthermore, an Anti-Social Behaviour Management Plan has been submitted, and this would be conditioned as part of any consent granted. Whilst it is assumed that CCTV is in operation along The Esplanade, Dorset Police have recommended that any integrated camera within the BT Hub be activated when installed, to ensure the monitoring of any calling of 999. They also request the removal of the existing BT payphone. Lastly, concerns have been raised with regard to the potential for the proposed Street Hub to block or obstruct site lines and therefore be used by someone to evade or conceal themselves.
- 14.26 Local Plan policy WEY5 makes reference to anti-social behaviour in the area which the unit would be located and therefore weight should be given to related concerns. In this regard, it is accepted that the submitted Anti-Social Management Plan would be the appropriate manner in which to address these concerns. Whilst it may be the case that the new street

hub could be used for concealment, and that nuisance calls may be made from it, it should be noted that this could be achieved now, given the existing phone box remains in situ. The removal of the existing phone kiosk would be conditioned as part of any planning permission, given this application is for the replacement of that unit.

Other Matters

- 14.27 It should be noted that the matter of the loss of economic benefits to nearby advertising units, through the introduction of a competitor, would not be a material consideration in this planning assessment.
- 14.28 In terms of public health and non-ionising radiation protection, a statement of conformity with public radio frequency guidelines has been provided.

15. Environmental implications

- 15.1 Given the type and small-scale nature of the proposed development it is not considered that there would be any significant environmental impact as a result.

16. Planning Balance

- 16.1 It is considered that for the reasons set out above that the development would have an acceptable impact in terms of flood risk and subject to conditions would have an acceptable impact on highway safety and residential amenity in accordance with the relevant policies of the development plan. Subject to a planning condition requiring the implementation of the anti-social behaviour management plan the development is not considered to likely result in an unacceptable impact in respect of crime and anti-social behaviour.
- 16.2 The development would result in the public benefits of:
- improved digital offering to visitors and residents in Weymouth, providing potential wider economic benefits to businesses in Weymouth
 - improved digital inclusion
 - improved access and facilitation of emergency services communication – both through the 5G and Wi-Fi functionality, 999 calling facilities, and the use of the LED screens for emergency messaging
 - potential for improved environmental monitoring, through air/odour testing
- 16.3 The proposed development would be located within the Weymouth Town Centre Conservation Area in what is identified in both the Conservation Area Appraisal and the Weymouth Neighbourhood Plan as a key view. The significance of this part of the CA can be summarised as The Esplanade providing an important example of late Georgian town planning, related firmly to the sea and the historic uses of the late 18th and early 19th century that has defined the character of The Esplanade, which has been, and continues to be, associated with visitors, entertainment, leisure and fun. As such the CA is considered to have historic, architectural and communal/social heritage significance. Furthermore, the quality of The Esplanade and its bay have been recognised and appreciated since the start of noble and royal patronage of the Georgian resort and as such is considered to have aesthetic heritage significance. The CA appraisal sets out that *“The Esplanade is of national significance in the history of the seaside resort and in terms of social history”*.
- 16.4 It is considered that the proposed development by reason of its siting, height, mass, design and appearance (including colour) would add to the proliferation of street furniture (despite the removal of the existing telephone box) and other paraphernalia on the sea front and as a result of the inbuilt LED advertisement screens would be a visually prominent addition which would be detrimental to the character and appearance of the Conservation Area. This harm is considered to be less than substantial and so in accordance with chapter 16 of the

NPPF consideration must be given to whether the public benefits would outweigh the identified harm.

- 16.5 Whilst public benefits have been identified and could be secured by planning condition it is not considered that the applicant has demonstrated that there are no alternative means of providing those benefits in a way which would have a less harmful impact. As such the proposed development does not accord with Policy COM10 of the adopted local plan. Given that it has not been demonstrated that the public benefits could not be achieved by other less harmful means the weight to be attached to them is reduced and is considered to be limited weight. It is considered that despite the limited weight which can be attached to the public benefits that is not sufficient to outweigh the less than substantial harm to designated heritage assets. As such the development is contrary to Policies ENV4, ENV10, ENV12, ENV14, WEY1 and COM10 of the adopted local plan, Policies W13, W39, W44 and W45 of the Weymouth Neighbourhood Plan and chapters 10 and 16 of the NPPF.

17. Recommendation

- 17.1 Refuse for the following reason:

The proposed BT Street Hub would be a harmful addition to the historically sensitive and significant Esplanade promenade within the Weymouth Town Centre Conservation Area, given its siting, scale, design, appearance and colour with inbuilt LED screens being visually intrusive, adding to the proliferation of street furniture and being read alongside existing LED advertising screens which have been installed along the Esplanade. Whilst it is noted that there would be public benefits from the proposed hub, namely increased coverage of 5G and the provision of Wi-Fi, this is not considered to outweigh the less than substantial harm to the character and appearance of the Conservation Area which the hub would cause. Furthermore, it has not been demonstrated or evidenced that suitable alternatives, which would cause less harm to visual amenity and the Conservation Area, for the provision of Wi-Fi and 5G have been considered. Therefore, the proposal would be contrary to Policies COM10, ENV4, ENV10, ENV12, ENV14 and WEY1 of the West Dorset, Weymouth and Portland Local Plan (2015) and Weymouth Neighbourhood Plan (2026) policies W13, W39, W44 and W45 and chapters 10 and 16 of the National Planning Policy Framework.