

Application Number:	P/ADV/2025/06226
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Pavement outside 104E St Mary Street Weymouth DT4 8NY
Proposal:	Installation of 1no. internally illuminated double sided LCD display screen
Applicant name:	Verity Cheyne
Case Officer:	Rob Piggot
Ward Member(s):	Cllr Orrell

- Reason application is going to committee:** The application site is land owned/maintained by Dorset Council.
- Summary of recommendation:**
Grant subject to conditions as set out at the end of this report.

3. Key planning issues

Issue	Conclusion
Scale, design, impact on character and appearance	The development would be acceptable, read as a standalone panel, within a busy and already illuminated setting.
Impact on the living conditions of the occupants and neighbouring properties	The BT Hub would not be harmful to residential amenity, given the existing level of light and noise. Condition to be applied to ensure lighting meets standards for urban mixed-use setting.
Impact on landscape or heritage assets	The scheme would be located in a historic area, in Weymouth Town Centre Conservation Area, and in the setting of Black Dog Public House. It is considered that the unit would harm the significance of the Conservation Area, and the setting of the Black Dog Public House, however, this harm would be less than substantial and would be outweighed by public benefits.
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.

Issue	Conclusion
Environmental Implications	Given the scale and nature of the proposal, it is not considered there would be any environmental or ecological impact.

4. Description of site

- 4.1 The application site is located toward the northern end of St Mary Street, being a pedestrianised thoroughfare in the centre of Weymouth, one block back from The Esplanade. An existing BT phone box is located on the site of the proposed development. The site is within the Weymouth Town Centre Conservation Area and is within the setting of The Black Dog Public House (Grade II*).
- 4.2 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 Consent 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/PAP/2025/00516 - Decision: RES - Decision Date: 20/08/2025

Proposed Street Hubs

7. List of constraints

Grade: II* Listed Building: BLACK DOG PUBLIC HOUSE List Entry: 1132631; - Distance: 8.96

Weymouth Town Centre Conservation Area

LP - WEY2; Town Centre and Commercial Road Area; Town Centre and Commercial Road Area

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

LP - ECON4; Town Centre Areas; Weymouth

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

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

LP - SUS2; Defined Development Boundary; Weymouth

LP - ENV 4; Conservation Area; Town Centre Conservation Area

LP - ECON 4; Primary Shopping Frontage; St Mary Street, Weymouth

LP - ECON4; Primary Shopping Area; Weymouth

Dorset Council Land (Dedicated): Land dedicated for road improvement at 1 St Mary Street, Weymouth - Reference LIN002635

Risk of Surface Water Flooding Extent 1 in 1000

Surface water flooding - 1 in 100 year event plus 20% allowance

Surface water flooding - 1 in 100 year event plus 40% allowance

SFRA 2 Boundary

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. The proposal would not enhance the street scene, 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 supports this application and raises no objection.

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 – None

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:

- ENV4: Heritage assets
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings
- ENV14: Shopfronts & advertisements
- ENV16: Amenity

COM7: Creating a safe & efficient transport network

WEY1: Town Centre Strategy

Made Neighbourhood Plans

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

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.

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 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)

Institution of Lighting Professionals (ILP) Professional Lighting Guide PLG 05/23

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)

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

Conservation Area Appraisals:

Weymouth – Town Centre Conservation Area Appraisal adopted December 2012

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.	
Non material considerations	
None identified.	

14. Planning Assessment

- 14.1 The application is for advertisement consent and therefore the only considerations in the determination of the application are amenity and public safety.

Design and Character

- 14.2 The BT Hub is proposed to be located in a visible and historic area of Weymouth Town Centre, being within a pedestrianised street, with retail and food outlets on either side of the street. Whilst the Street Hub would be higher than the existing BT Phonebooth, it would be read within a busy and active street scene, with both illuminated and non-illuminated retail advertising in abundance. Furthermore, the unit would be read as a discreet item, where no other LED advertising units are installed along St Mary Street.
- 14.3 On this basis the unit is considered to be acceptable and would not be overly conspicuous within the existing street scene. The proposal is therefore considered to accord with Local Plan policy ENV10 and Weymouth Neighbourhood Plan policy W44.

Heritage Impact

- 14.4 The proposal would be in the Weymouth Town Centre Conservation Area and would be in the setting of The Black Dog Public House (Grade II*). The Black Dog Public House is identified as an important listed building in the Conservation Area appraisal.
- 14.5 The Council's Conservation officer has reviewed the proposal and have raised concerns with the height, mass, colour, animation and scale of the proposed structure. They state that: *'The proposed BT Street Hub would be orientated along St Mary Street. This*

permanent structure would have a digital LED display and would be able to be altered remotely. The proposed replacement Hub would be located immediately to the north of the footprint of the existing payphone. The submitted existing and proposed elevations demonstrates that the proposed Hub would have an increase in width and height and a heavy black frame. It is noted that the side elevation would be reduced in width. The proposed replacement due to the height, mass, colour, animation and illumination is not supported. The proposal would be overbearing and imposing within the street scene. The proposal would be considered an unsympathetic addition causing detrimental harm to the setting of the neighbouring Grade II Listed building and the Conservation Area. It is suggested that alternative options are considered which could provide improvements to the 5G network within the town, but which are more discrete and reflect a sensitive and considered approach to heritage values.'* 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.

- 14.6 It is this officer's view that there would be less than substantial harm to both the Conservation Area and the setting of The Black Dog, however, it is considered that this would be on the lower end of less than substantial harm, given the various forms of advertising, lighting and street furniture in close proximity to the location proposed for the Street Hub. In weighing up the degree of harm and the public benefits which have been outlined in Section 13 above, it is considered that the harm would be outweighed by the public benefits which would be derived from the BT Street Hub.
- 14.7 It has been confirmed by the agent for this application that both Wi-Fi and 5G functionality will be installed when the BT Street Hub goes live, however, where these are considered to be public benefits which make the development acceptable, it is considered appropriate that a condition be applied to any consent to ensure this functionality is secured.
- 14.8 It is noted that the recently adopted Weymouth Neighbourhood Plan establishes under policy W45 that '*Development proposals must demonstrate, where relevant, that they respect and will cause no harm to heritage assets and their setting*', however, Chapter 16 of the NPPF is clear on the matter of harm, where less than substantial harm should be weighed against any public benefits.
- 14.9 On this basis the scheme is considered to accord with Local Plan policy ENV4, Weymouth Neighbourhood Plan policies W39 and W45, and 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

- 14.10 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, during the day and early evening it is not considered that this would be any worse than the general noise found along St Mary Street. This notwithstanding, it is considered appropriate and reasonable that during the hours of 9pm and 7am that the volume of the unit be reduced, to ensure that there is no disruption to upper floor residential units/holiday units along St Mary Street. Lastly, the luminance levels of the unit itself would be controlled by way of a condition, so as to ensure that these meet acceptability standards set out in the Institution of Lighting Professionals (ILP) Professional Lighting Guide PLG 05/23.
- 14.11 The Environmental Health Team have reviewed the proposal and have no comments to make.

Highway Safety

- 14.13 The Highway Authority have reviewed the proposal and have stated that it would appear acceptable in principle, however this would be subject to conditioning 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 Highway Authority and Local Planning Authority.

- 14.14 On this basis the scheme is considered to accord with Local Plan policy COM7 and Weymouth Neighbourhood Plan policy W46.

Crime/Policing

- 14.15 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 in St Mary Street, 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 have also requested 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.
- 14.16 Local Plan policy WEY5 makes reference to anti-social behaviour in the area where 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 occur now, given the existing phone box remains in situ. The removal of the existing phone kiosk would be conditioned as part of any consent, given this application is for the replacement of that unit.

Other Matters

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

15. Environmental implication

- 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. Summary of issues and the planning balance

- 16.1 It is considered that for the reasons set out above that the development would subject to conditions 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 In terms of impact to visual amenity, the development is considered to be acceptable, as it would be located in a relatively active setting, with various forms of advertising and lighting evident already. With regard to the impact to the historic setting, the development would be located within the Weymouth Conservation Area and would be in the setting of The Black Dog Public House (Grade II*) and the development would impact both of these heritage

assets, by virtue of the scale, siting and visual intrusion, however, it is considered that this harm would be at the lower end of less than substantial and that this would be outweighed by the following public benefits:

- 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 On this basis the development is considered to be acceptable, where it would be in accordance with relevant policies in both the Local Plan and Weymouth Neighbourhood Plan, and the NPPF.

17. Recommendation

17.1 Grant, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

001 A Site Location Maps

002 A Proposed Site Plan

003 A Existing and Proposed Elevations

Street Hub Product Statement V2.1. February 2025

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Before the development commences, full details of the adaptive luminance control, hours of darkness and default mechanisms scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the display being brought into use and shall thereafter be retained and maintained for the lifetime of the development.

- Adaptive Luminance Control - The digital display shall incorporate a system to automatically adjust luminance to reflect ambient light conditions. In hours of darkness, the luminance shall not exceed the maximum values set out in the Institution of Lighting Professionals (ILP) Professional Lighting Guide PLG 05/23 (or any successor guidance), based on the agreed Environmental Zone, or as otherwise deemed acceptable by the Local Planning Authority.

- Default Mechanism - The display shall include a mechanism to default to a blank or black screen in the event of malfunction or when the advertisement is not in use.

Reason: To ensure luminance levels are appropriate to avoid dazzle and glare to highway users in the interests of highway safety.

4. The digital display screens shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).

Reason: In the interests of visual amenity and living conditions of nearby residents.

5. The minimum display time for each piece of content on the digital display screens shall be 10 seconds. 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 displays and the display will include a mechanism to freeze the image in the event of a malfunction.

Reason: In the interests of visual amenity and living conditions of nearby residents.

6. No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

Reason: To ensure Highway safety is not unduly impacted upon.

7. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

8. No advertisement shall be sited or displayed so as to; a) danger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or c) hinder the operation of any device used for the purposes of security or surveillance or for measuring the speed of any vehicle.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

9. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

10. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

11. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

12. The BT Street Hub hereby approved shall be black in colour and shall be retained as such thereafter.

Reason: In the interests of protecting wider visual amenity of the area.