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## Appeal Decision

Site visit made on 21 January 2026

by **G Sibley MPLAN MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 February 2026

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### **Appeal A Ref: 6001635**

#### **Footpath outside 121 Warwick Road, Coventry CV3 6AN**

- 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 Coventry City Council.
  - The application Ref is PL/2025/0001832/FUL.
  - The development proposed is installation of 1No. BT Street Hub Unit and associated display of advertisement panels to either side of the unit.
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### **Appeal B Ref: APP/U4610/Z/25/3375715**

#### **Footpath outside 121 Warwick Road, Coventry CV3 6AN**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
  - The appeal is made by Verity Cheyne of BT Group PLC against the decision of Coventry City Council.
  - The application Ref is PL/2025/0001713/ADV.
  - The advertisement proposed is installation of 1No. BT Street Hub Unit and associated display of advertisement panels to either side of the unit.
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## **Decisions**

1. Appeal A and Appeal B are dismissed.

## **Preliminary Matters**

2. The two appeals relate to the same proposal on the same site. Appeal A concerns the refusal of planning permission for installation of 1No. BT Street Hub Unit and associated display of advertisement panels to either side of the unit. Appeal B concerns the refusal of express consent regarding the installation of 1No. BT Street Hub Unit and associated display of advertisement panels to either side of the unit. I have considered each on its merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
3. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) confirm this approach. I have taken account of the provisions of the development plan insofar as they are material to Appeal B.
4. The appeal site is located within the Kenilworth Road Conservation Area (CA) and as per Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I have had regard to my duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

## Main Issues

5. The main issue relevant to Appeal A is the effect of the proposal on the character and appearance of the area, including the CA.
6. The main issues relevant to Appeal B are the effect of the proposal on visual amenity, and the effect of the proposal on public safety.

## Reasons

### *Character and Appearance, including Visual Amenity*

7. The appeal site lies within the CA, which covers a substantial area focused on development along Kenilworth Road as it leads into Warwick Road and towards Coventry city centre. Development within the CA is predominantly characterised by large Edwardian properties of Arts and Crafts design, generally set back from the road behind extensive gardens, driveways and landscaped frontages. Roads are typically tree-lined, and the wider CA is interspersed with parks and wooded areas. While street lighting, traffic signals, signage, bus stops, bins and bollards are present, street furniture is generally limited in scale and spaced intermittently. Advertisements are uncommon within the CA and are typically confined to the curtilage of buildings and related to their use, such as the nearby school. The generous spacing between buildings, tree-lined streets and landscaped areas combine to give the CA a distinct 'sylvan' character, contributing positively to its significance. The CA has limited commercial uses, and most buildings are in residential use.
8. The appeal site is located towards the edge of the CA, where Warwick Road leads into Coventry city centre over a bridge. The bridge acts as a physical and visual transition between the areas. In close proximity is Coventry railway station, a large modern building finished in red cladding, beyond which are tall modern buildings and the city centre. In this area, trees are fewer, development is larger in scale, uses are predominantly commercial, and the character is distinctly urban. Advertisements, including freestanding signage, and a greater concentration of street furniture are present. The appeal site therefore lies close to a transition between the sylvan character of the CA and the urban commercial environment beyond, with the immediate backdrop varying depending on the direction of approach along Warwick Road.
9. The immediate surroundings of the appeal site contain a cluster of street furniture, including a bus shelter, bins, streetlights, traffic signage, a phone box and a lamppost-mounted digital sign. Despite this, buildings in the area remain set back behind landscaped frontages, and the approach along Warwick Road is tree-lined. The appeal site itself comprises an undeveloped section of pavement, the openness of which allows views of trees and landscaped areas that make a positive contribution to the significance of the CA. In its current form, the site therefore preserves the sylvan character of the CA.
10. The proposed Street Hub (the hub) would stand approximately 3 metres high and 1.2 metres wide, incorporating large digital screens on both elevations. Although similar in width to the adjacent bus shelter, its greater height and solid, bulky monolithic appearance, contrasting with the shelter's transparent glazing, would render it a more visually intrusive structure. While its general alignment with the existing bus shelter and bins would provide a degree of partial screening when

approached from the city centre, the combined concentration of street furniture in this location, together with the hub's scale and massing, would contribute to increased visual clutter.

11. At present, the openness of the appeal site affords views of tree-lined pavements and landscaped frontages, features that positively contribute to the character and significance of the CA. The introduction of the hub would diminish this sense of openness and create a greater sense of enclosure. Pavements within the CA are generally uncluttered, a quality that positively reinforces its sylvan character, and freestanding advertisements of this nature are uncommon. Consequently, the additional clutter arising from the installation of the hub with advertisements in this position would appear out of keeping with its surroundings.
12. Although the site is located close to an area where the character transitions and advertisements become more common when viewing towards the city centre, it nonetheless remains within the CA. The proposal would be sited on an approach either into or out of the CA and thus capable of harming the wider character and appearance of the CA. The proposal would therefore fail to preserve elements that make a positive contribution to the CA's significance harming the character and appearance of it as a whole.
13. The appellant argues that the hub represents high-quality design and is slimmer than traditional phone boxes like that near the appeal site. While the design quality is noted, the determining factor is context, and in this location the massing, illumination and commercial character would render the structure incongruous.
14. Reference has been made to a number of appeal decisions relating to communication hubs with associated advertisements similar to the appeal proposal<sup>1</sup> as well as other applications approved by the Council. Many of the appeals concerned sites within predominantly commercial areas with more prevalent illuminated advertising, unlike the appeal site before me. None related to sites within, or in close proximity to, this conservation area. On the basis of the information provided, the character of those sites differs materially from that of the appeal site. Where appeals did involve heritage assets, the proposals were typically found not to result in harm, in contrast to the proposal before me. In addition, several of those schemes involved the replacement of an existing phone box on the appeal site itself, whereas in this case the phone boxes to be removed are in other locations.
15. The Inspectors considered the proposals within the context of the surrounding street scene, and this is an approach I have followed. Limited substantive evidence has been provided to show meaningful comparisons can be drawn between the character of those areas and the site under consideration. The approval of other developments does not, in itself, demonstrate that a similar form of development would be appropriate in all locations.
16. Accordingly, there are material differences between those cases and the proposal before me. Each appeal must be determined on its own merits, and the

<sup>1</sup> Appeal References: APP/Z5630/W/18/3209582 & APP/Z5630/H/18/3209488; APP/N5090/Z/22/3296138; APP/J2373/H/22/3305026 & APP/J2373/W/22/3305028; APP/J2373/W/22/3304941; APP/J2373/H/3305072 & APP/J2373/W/22/3305075; APP/Q4245/W/25/3363934; APP/Q4245/W/25/3363942 & APP/Q4245/H/25/3363943; ADA-180-2017; APP/J2373/H/22/3305072; APP/C3105/W/25/3366449 & APP/C3105/H/25/3366450; APP/V5570/W/22/3309120 & APP/V5570/H/22/3309121; APP/N5090/Z/21/3287033; APP/C2741/W/22/3311620 & APP/C2741/H/22/3311629; APP/N5090/Z/22/3296138; APP/L5240/W/21/3287444 & APP/L5240/H/21/3287445; APP/R0335/W/25/3365044 & APP/R0335/H/25/3365045; and APP/Y5420/W/21/3284560.

site-specific circumstances of this case are a material consideration. It is for these reasons that I have reached a different conclusion on this issue from that of other decision makers.

17. Paragraph 212 of the Framework states that great weight should be given to the heritage asset's conservation. In the language of Framework paragraph 215, the identified harm would be less than substantial, and so should be weighed against public benefits. However, it is necessary that I still give considerable importance and weight to the harm found.
18. The proposed hub would provide a range of public benefits, including free interconnected Wi-Fi between hubs, free mobile device charging, emergency call buttons, charity helplines and local wayfinding, free advertising space for local businesses, promotion of community and municipal services, public information services, air-quality sensors and indirect street lighting.
19. It is suggested that the proposal would facilitate the removal of existing phone boxes elsewhere. However, none of the referenced phone boxes are located on the appeal site. Although there is a phone box positioned on the opposite side of Warwick Road, its removal is not necessary for the implementation of the proposal. Furthermore, the harm identified relates to the effect of the proposal when considered alongside the existing concentration of street furniture on this side of the road. While the removal of the phone box opposite may reduce overall street furniture within the CA, it would not necessarily reduce clutter within the immediate context of the proposed installation. A similar conclusion can be drawn with regard to the phone box on Quinton Road which is located a significant distance away. Moreover, no mechanism has been provided to secure the removal of any of the referenced phone boxes. For the reasons given above, the weight afforded to this element of the public benefits is limited.
20. The Framework identifies that a high quality and reliable communications infrastructure is essential for economic growth and social well-being and the scheme would support this. However, such considerations are not without regard to the Framework as a whole which advises that the quality and character of places can suffer when advertisements are poorly sited and designed. As a matter of planning judgement, I conclude that the public benefits of the proposal are not sufficient to outweigh the less than substantial harm to the CA. This negative conclusion to the heritage balance is a material consideration.
21. With regard to Appeal A, for these reasons, the proposed hub would harm the character and appearance of the area and would not preserve the character or appearance of the CA, as a whole. It would consequently conflict with Policies DE1 and HE2 of the Coventry Local Plan (LP). These expect developments, amongst other matters, to preserve or enhance the character and setting of the historic built environment.
22. With regard to Appeal B, the same considerations apply as those relating to the impact of the proposed hub on the character and appearance of the area, and the large, illuminated displays would add to the harm to the visual amenities of the area already identified above. For similar reasons it would conflict with the above development plan policies insofar as they are material.

### *Public Safety*

23. The Council did not identify highway safety concerns with the siting of the hub itself, rather the impact of the proposed advertisements on the hub. Based on the information before me, I find no reason to disagree with the Council concerning the siting of the hub itself with regard to Appeal A.
24. The hub would be located near the edge of the footway on the same side of the carriageway where the road reduces from two lanes to one. A bus shelter and on-carriageway bus stop markings lie close to the merge point, and, on the approach from the city centre, signal-controlled junctions and a pedestrian crossing near the railway station are all located close to the site. Although my observations are a snapshot in time, traffic volumes were high, and, given the route's strategic role and proximity to the train station, it is reasonable to conclude that it is likely used by a wide range of road users, including vulnerable users such as pedestrians.
25. While the bus shelter may offer partial screening, the footway widens between the shelter and the proposed hub, and as shown on the submitted plans the hub would remain conspicuous to drivers leaving the city centre. The digital panel, with illuminated changing images, would face oncoming traffic at a location where multiple manoeuvres occur in quick succession. This would distract highway users and elevate collision risk.
26. Although illumination levels and image transition speeds could be conditioned, in the particular site circumstances described, I am not satisfied that conditions would adequately mitigate the distraction risk.
27. The appeals and applications referred to earlier were located in notably different areas with differing highway characteristics. Furthermore, none of them were located near to the appeal site on Warwick Road. Limited substantive evidence has been provided to show meaningful comparisons can be drawn between the highway layout and thus the public safety considerations of those areas and the site under consideration. These circumstances have led me to come to a different conclusion in this instance.
28. Therefore, the proposed advertisement would present a risk to public safety. Insofar as they are relevant the proposal would conflict with Policies AC2, AC4, DE1 and HE2 of the LP. These expect proposals, amongst other matters, to ensure they do not cause highway safety problems.

### **Other Matter**

29. The Grade II Listed Free Grammar School Henry VIII School is sited approximately 100 metres from the appeal site further along Warwick Road. The significance of the building comes from the detailed architectural features. The building is set back from the roadside, and its setting includes the large-scale Edwardian buildings around it as well as trees that line the road that contribute towards the sylvan character of the area. The appeal site is located a considerable distance from the heritage asset and given the distance between the appeal site and the building and the limited scale of the proposal it would not harm the setting of that heritage asset.

## Conclusion

30. The proposed development, insofar as it relates to Appeal A, would result in harm to the character and appearance of the area, including the setting of a locally listed building, and would fail to preserve or enhance the character or appearance of the CA. This harm brings the proposal into conflict with the development plan when read as a whole. Although the scheme offers a number of benefits, these are not sufficient to outweigh the identified harm. Consequently, the material considerations do not indicate that the appeal should be determined other than in accordance with the development plan. For the reasons set out above, I therefore conclude that Appeal A should be dismissed.
31. For the reasons given above, I conclude that Appeal B should be dismissed.

*G Sibley*

INSPECTOR