



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

Appeal A Ref: 6001654

Footpath outside Iceland Supermarket, Binley Road, Coventry CV3 1JF

- 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/2025/0001689/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/25/3375735

Footpath outside Iceland Supermarket, Binley Road, Coventry CV3 1JF

- 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/2025/0001688/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 is allowed and planning permission is granted for installation of 1No. BT Street Hub Unit and associated display of advertisement panels to either side of the unit at footpath outside Iceland Supermarket, Binley Road, Coventry CV3 1JF in accordance with the terms of the application, Ref PL/2025/0001689/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos Cov-021 002 – Proposed Site Plan, Cov-021 004 – Proposed Site Plan, and STH-001.
2. Appeal B is dismissed.

Preliminary Matters

3. 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.

4. 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.
5. The appeal site is located within the Stoke Green Conservation Area (CA) and as per Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) 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

6. The main issue relevant to Appeal A is the effect of the proposal on the character and appearance of the area including the CA.
7. 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

8. The Control Plan for the CA sets out that it combines the ancient open spaces of Stoke Green and Binley Road with their ring of surrounding development and the attractive residential development of Stoke Park first laid out in the Victorian period on the site of the city's former racecourse.
9. Stoke Green is located a short distance from the appeal site and along Binley Road there are areas of landscaped open space planted with trees and shrubs. Development in the surrounding area is varied and includes larger dwellings located between and beyond these landscaped areas, commercial development comprising a terrace of properties with ground-floor shops, two large supermarkets, a public house, and a petrol station. Beyond this, there are rows of terraced dwellings set behind front gardens enclosed by brick boundary walls.
10. The character of the CA is primarily derived from the extensive areas of open space and the spaciouly sited dwellings that are interspersed between them. The significance of the CA therefore lies in its sylvan character, created by mature trees, landscaped open spaces, and dwellings set within generously sized plots that vary in design. Within the CA there are very few illuminated or non-illuminated advertisements, and the area has limited commercial development within it. The commercial development in the vicinity of the appeal site does not fully reflect the sylvan character; however, it is noted that this development lies outside the CA.
11. The appeal site itself, together with the adjacent pavement, forms part of the CA. The grass verges and trees surrounding the site make a positive contribution to the area's sylvan character. Along this stretch of the CA there is existing street furniture including bollards, bins, traffic signals and signage, as well as the telephone box that would be replaced by the proposed hub. These are mostly limited in scale and spaced out, and this generally retains views of nearby trees and open spaces and thus preserves the sylvan character of the CA.

12. The supermarkets, terraced commercial building, and dwellings are not within the CA although they are located close to it. The area around the appeal site is influenced by the commercial uses and appearance of the nearby buildings. As such, whilst located outside of the CA, the area around the appeal site is commercial in character.
13. The proposed Street Hub (the hub) would be taller and wider than the existing telephone box. However, it would be positioned broadly in alignment with existing street furniture, including traffic signage, trees and cycle racks, and would retain a reasonable degree of space around it. As such, it would sit comfortably within the established streetscape. As it would replace an existing phone box, it would not result in an increase in street clutter. Although the hub would be taller than the structure it replaces, it would have a smaller footprint, and when viewed in the context of the substantial scale of nearby buildings and the height of existing trees and signage, it would not appear visually dominant or discordant.
14. As the hub would occupy the same general location as the existing phone box, it would not require the removal of nearby trees or the adjacent grass verge, and therefore the positive contribution these features make to the significance of the CA would be retained. While the hub would be broader than other nearby items of street furniture, it would still be modest in scale relative to the considerable size of the surrounding open spaces. Consequently, it would not meaningfully screen or enclose views of those open spaces, and would conserve the contribution such views make to the significance of the CA. Accordingly, for the reasons given above, the proposal would preserve the character and appearance of the CA.
15. The Council has referred to a number of other appeal decisions for similar developments that were dismissed elsewhere within Coventry¹. However, those decisions do not necessarily establish a precedent for future determinations. Based on the information before me, the cited appeals concern sites that are materially different in terms of their location and character. It has not been demonstrated that substantive or meaningful comparisons can be drawn between those appeal decisions and the proposal before me. Consequently, for these reasons, I have reached different conclusions from those in the other cited cases.
16. Given the siting of the hub next to the roadside, the large, illuminated advertisements would be highly visible to motorists and pedestrians. While the advertisements would be seen alongside others, these are typically located above shop fronts, set away from the roadside and are not a digitally illuminated variety such as this. The advertisements would be clearer, more prominent and have the ability to change often, compared to the poster advertisement on the existing phone box. Compared to the existing signage in the area, the illuminated advertisements would appear at odds in the street scene, and its commercial character would render the advertisements incongruous alongside the sylvan character of the CA.

¹ Appeal Reference numbers: APP/U4610/W/24/3345169; APP/U4610/H/24/3345171; APP/U4610/W/24/3345175; APP/U4610/H/24/3345178; APP/U4610/W/24/3345179; APP/U4610/H/24/3345185; APP/U4610/W/24/3345213; APP/U4610/H/24/3345214; APP/U4610/W/23/3315401; APP/U4610/H/23/3315402; APP/U4610/W/23/3315403; APP/U4610/H/23/3315405; APP/U4610/W/23/3315406; APP/U4610/H/23/3315407; APP/U4610/W/23/3315408; APP/U4610/H/23/3315409; APP/U4610/W/23/3315410; APP/U4610/H/23/3315411; APP/U4610/W/23/3315412; APP/U4610/H/23/3315413; APP/U4610/W/23/3315416; APP/U4610/H/23/3315417; APP/U4610/W/23/3315419; and APP/U4610/H/23/3315420.

17. The appellant has referenced several appeal decisions relating to communication hubs with associated advertisements similar to the appeal proposal² 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. On the basis of the information provided, the character of those sites differs materially from that of the appeal site.
18. 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 advertisements does not, in itself, demonstrate that similar advertisements would be appropriate in all locations.
19. Accordingly, there are material differences between those cases and the proposal before me. Each appeal must be determined on its own merits, and the 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.
20. I acknowledge the appellant's references to the Framework and the need to balance any harm to the heritage asset against the public benefits of the proposal. However, considering advertisement consent appeals within a conservation area, the question of less than substantial or substantial harm does not arise, as the policy only applies to the heritage-related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).
21. Another phone box is proposed to be removed on Binley Road. However, this is located a considerable distance from the appeal site and does not form part of the appeal site's context and thus its removal would not necessarily have a positive effect on the character and appearance of the area around the appeal site. No mechanism has been provided to secure the removal of that phone box which limits the weight that could be attributed to this benefit.
22. Even if I were to take into account the range of public benefits cited, such the removal of the phone box on site, free interconnected Wi-Fi between hubs, free mobile device charging, emergency call functions, charity helplines, local wayfinding, free advertising opportunities for local businesses, the promotion of community and municipal services, public information features, air-quality sensors and indirect street lighting, these considerations, though carrying positive weight, do not outweigh the harm I have identified in respect of amenity and public safety. Moreover, while such benefits may be regarded as other relevant factors, the Regulations require that my decision be based solely on matters of amenity and public safety.
23. With regard to Appeal A, the proposal would preserve the character and appearance of the CA and would comply with Policies AC2, AC4, DE1 and HE2 of the Coventry Local Plan (LP). These seek, amongst other matters, for

² 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.

developments to conserve and, where appropriate, enhance those aspects of the historic environment which are recognised as being of special historic significance.

24. With regard to Appeal B, for the reasons given above the large, illuminated displays would harm the visual amenities of the area and fail to preserve the character of the CA. Whilst not determinative, the advertisements would be contrary to the above development plan policies insofar as they are material.

Public Safety

25. On the approach to the appeal site from the city centre is a bus stop, a signalised pedestrian crossing point, and the junction to the car park for the two supermarkets. There is a secondary road that also links to the car park for the two supermarkets and road users entering the car park would have to be aware of road users also entering from this road. Further along Binley Road, there is the exit for the supermarkets shared car park. As a result, within a short distance motorists could undertake several different manoeuvres where concentration is required and would also have to pay attention to buses, cyclists and pedestrians. Pedestrians and cyclists would also be crossing Binley Road and the junction for the car park.
26. Although the existing phone box already features advertising, the proposed digital display, with its changing images, would comprise an added distraction to highway users. The advertisements would face oncoming traffic and would be positioned behind traffic signals and in close proximity to traffic signage, thereby reducing the clarity and visibility of those signs and signals. This increased visual competition would distract drivers approaching the nearby crossing and junction, elevating the risk of collisions. Given that vulnerable road users, such as pedestrians and cyclists, also make use of these crossing points, the additional confusion and distraction generated by the proposal would further compromise their safety. While the level of illumination, rate of image change and other operational aspects could be controlled through conditions, I am not satisfied that such measures would adequately mitigate these concerns in the specific context of this site.
27. Many of the appeal sites referred to by the appellant, as evidenced by the decisions, were located in notably different areas with differing highway characteristics. Furthermore, none of them were located near to the appeal site on Binley 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. For the reasons given above, the proposed advertisement would harm public safety. Insofar as they are material to the appeal the scheme would be contrary to Policies AC2, AC4, DE1 and HE2 of the LP. These expect proposals to, amongst other matters, protect the safety of pedestrians and provide for highway safety and safe walking routes.

Conditions

29. Whilst the Council has not suggested any conditions regarding Appeal A conditions are necessary concerning the commencement of development and another requiring the development is carried out in accordance with the permitted plans in the interests of certainty.

Conclusion

30. The proposed hub would not harm the character or appearance of the area and would preserve the character and appearance of the CA. Consequently, Appeal A would be in accordance with the development plan, and the material considerations do not indicate that the appeal should be determined other than in accordance with it. Therefore, for the reasons given above, I conclude that Appeal A should be allowed.
31. For the reasons given above, I conclude that Appeal B should be dismissed.

G Sibley

INSPECTOR