



Appeal Decisions

Site visit made on 10 February 2026

by **J Evans BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 February 2026

Appeal A Ref: APP/U3935/W/25/3375001

Pavement o/s Swindon Central Library, Regent Circus, Swindon SN1 1QG

- 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 Mr Simon Warner of BT Telecommunications Plc against the decision of Swindon Borough Council.
 - The application Ref is S/25/0756/HAPA.
 - The development proposed is the installation of 1no BT street hub and removal of associated BT payphones.
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Appeal B Ref: APP/U3935/Z/25/3374179

Pavement o/s Swindon Central Library, Regent Circus, Swindon SN1 1QG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Simon Warner of BT Telecommunications Plc against the decision of Swindon Borough Council.
 - The application Ref is S/ADV/25/0757/HAPA.
 - The advertisement proposed is 2 no. digital 75" LCD display screens, one on each side of the street hub unit.
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Decision

1. Appeal A: the appeal is dismissed.
2. Appeal B: the appeal is dismissed.

Preliminary Matters

3. As set out above there are two appeals, one of which seeks planning permission for the installation of the street hub and removal of payphones (appeal A) with the other seeking advertisement consent for the display screens (appeal B). Each appeal has been considered on its individual merits, although to avoid duplication they have been dealt with together except where otherwise indicated.
4. The library is an extension to the Grade II listed Town Hall. As required by Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) stipulate that control may be exercised only in the interests of amenity and public safety. Although not determinative in advertisement cases, the Regulations allow the provisions of the development plan to be taken into account as far as they are material. Appeal B has been considered on that basis.

Main Issue

6. The main issue for both appeals is the effect of the street hub upon public safety.

Reasons

7. The street hub would be positioned near to the library in an area that comprises a variety of service and retail premises. The area has a bustling, vibrant character and appearance. Commercial Road and Princes Street are busy roads with a bus lane, and to the north of the appeals site there is a row of three bus stops. Princes Street has broad public footways that link into the pedestrianised town centre.
8. The hub would be positioned to the western side of Princes Street within the public footway, nearer to the carriageway edge than to the library. Although the hub would not cause an obstruction to pedestrians, its positioning near to road traffic signs would result in it being a distracting addition within the street scene for users of the highway. The position, height, and size of the hub would be such that it would partially obscure two traffic signs. Irrespective of the appellant considering drivers would already be aware of the bus lane and cameras when approaching from Commercial Road, the purpose of road signs is to readily inform users of the highway. Partial concealment of the signage would prevent this essential function from occurring.
9. Furthermore, the display screens upon the hub would be an eye-catching distraction near to a busy pedestrian crossing where the road makes a sharp bend formed by Commercial Road joining Princes Street. Illumination levels and the rate of change of static images could be conditioned, but despite such measures, the hub would form a bright and distracting addition to users of the highway in a location where everyone would need to concentrate. The area is well lit and there are also advertisements on the bus shelters. These advertisements are set back from the carriageway behind the bus stop as well as being on a straight section of the road rather than near a sharp bend. As such they do not pose a distraction to users of the highway.
10. Transport for London's Guidance for Digital Roadside Advertising and Proposed Best Practice (2013) (the Guidance) advises that digital advertisements are best located by the nearside carriageway orientated to face oncoming traffic to reduce the risk of drivers turning attention away from the road. Such a location was found to be acceptable for the hub allowed in Croydon High Street (appeal refs: APP/L5240/W/21/3285398 & APP/L5240/H/21/3285399). However, the positioning of the proposed hub would result in a conflict with traffic signs, contrary to advice within the Guidance. As such the Croydon comparison does not form a binding precedent for allowing the appeals.
11. The scheme includes the removal of two payphones which the appellant considers would declutter the street scene and free-up space. Reference has also been made to payphones having been within the appeals site area up until 2023. Notwithstanding this, there is no visible evidence nor any provided with the appeals as to position of the payphones that have been removed from the site. As regards the removal of two other payphones, neither is within the appeals site as they are in different streets and they are not near to sharp road bends. Consequently, these comparisons have been afforded limited weight in the determination of the appeals.

12. The National Planning Policy Framework (the Framework) supports advanced, high quality and reliable communications infrastructure considering it to be essential for economic growth and social well-being, objectives that are reflected in Policy IN3 of the Swindon Borough Local Plan (2015) (LP). The hub would achieve these benefits providing a range of services for people in the area. However, such advantages would neither mitigate nor outweigh the significant adverse impact that the hub would cause to users of the road.
13. For these reasons the hub would unacceptably harm public safety, and the suggested conditions would not alleviate this harm. There would consequently be conflict with LP Policy TR2, which stipulates amongst other things, that development should be permitted without detriment to highway safety.

Other Matters

14. Swindon Town Hall is an imposingly grand grade II listed building. Its position, large size, form, and rich architectural detailing, make it a landmark building within the area. These features, and its age and community importance, are all part of the special architectural and historic interest of this listed building. Attached to the Town Hall is the library, and this large, tall extension appears as a legibly modern addition to the historic building. Given the size and position of the hub within the public footway to the eastern side of the library, it would not be visible from the Town Hall nor within views of it, and it would have a neutral impact upon the setting of the listed building.
15. Local residents have raised concerns that the hub would harm the character and appearance of the area and would encourage anti-social behaviour. However, following the findings on the main issue, there is no need to consider these matters further.

Conclusion

16. The hub would cause unacceptable harm to public safety, and the suggested conditions would not overcome this harm. Thus, for the reasons given above and having regard to all other matters raised, the appeals are dismissed.

J Evans

INSPECTOR