



Appeal Decisions

Site visit made on 15 April 2026

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 May 2026

Appeal A Ref: APP/G3110/W/25/3376856

Pavement o/s 21 Park End Street, Oxford OX1 1HH

- 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 Simon Warner on behalf of BT PLC against the decision of Oxford City Council.
 - The application Ref is 25/02495/FUL.
 - The development proposed is installation of 1no. BT Street Hub and removal of associated existing BT payphone(s).
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Appeal B Ref: APP/G3110/H/25/3376813

Pavement o/s 21 Park End Street, Oxford OX1 1HH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Simon Warner on behalf of BT PLC against the decision of Oxford City Council.
 - The application Ref is 25/02496/ADV.
 - The development proposed is installation of 1no. BT Street Hub and removal of associated existing BT payphone(s).
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. As set out above there are two appeals on this site covering both planning permission and express consent to display advertisements. They differ only in that appeal A is for planning permission and appeal B is for express advertisement consent. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.
4. In respect of appeal B, the Regulations and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. Regard does not need to be had to the development plan. I have taken relevant policies into account as a material consideration; however, they have not, by themselves, been determinative.

Main Issues

5. The main issue for appeal A is the effect of the proposal on the character and appearance of the area including its effect on the setting of the Oxford Central (City and University) Conservation Area.
6. The main issue for appeal B is the effect of the proposal on the amenity of the area including its effect on the setting of the Oxford Central (City and University) Conservation Area.

Reasons

Character and appearance and amenity

7. The appeal site is an area of pavement located in a predominantly commercial area with businesses lining both side of the road. The proposed development would be located centrally on the pavement. The pavement is particularly wide and generally free from street furniture and clutter which results in an open character and appearance.
8. The Oxford Central (City and University) Conservation Area (the CA) covers an area encompassing the historic core of Oxford. The historic core is focused around the university and colleges which have shaped the architectural tradition that reflect higher education from the Middle Ages. Street layout is largely regular with active frontages with buildings being constructed using a limited range of materials. Given the above, I find that the significance of the CA, insofar as it relates to this appeal, to be primarily associated with the wide and open pavements that allow views into the CA which enables the street layout and architectural detailing of the buildings to be appreciated.
9. The appeal site is on the boundary of the CA, however, due to the wide pavements and generally low-level street furniture, open and long-range views are possible into the CA which allows the historic core to be appreciated. The appeal proposal's central location within the pavement, combined with its overall height and the illuminated advertisements being displayed would result in a prominent and dominant addition in the street scene.
10. I note that the height of the proposal cannot be changed as it is required for ICNIRP compliance, however this does not outweigh the harm caused. I also note that there are a number of commercial premises nearby, however, the pavement remains generally open and free from street furniture and as such, the proposal would appear incongruous in this context and be harmful to the open character and appearance of the area.
11. The openness of the appeal site and low-level street furniture would mean that the proposal would be particularly dominant and would also block views towards the CA and would harm its significance. There are some trees near to the appeal site which would block some views from the road, however, they would have little effect on views towards the CA, and any screening would also be limited when the trees are not in full leaf.

12. The Council have raised concern that the description of development suggests an associated existing payphone would be removed, however, that this is not within the red line and as such there is no guarantee it would be removed. I note the Council's concern, however while it may not be located within the red line, the appellant is clear that part of the business is the removal of existing payphones and there is a commitment that this would take place. I therefore have no reason to doubt that an existing payphone would be removed, and this could be secured by an appropriately worded planning condition.
13. Notwithstanding the above, while I have no doubt a payphone would be removed and that they take up a larger area than the proposed advertisement, as there is nothing currently within the appeal site the removal of an existing payphone elsewhere provides little justification for the proposed development. Furthermore, while the removal of the existing payphone may reduce clutter this would relate to another site whereas the proposed development would introduce built form where there is currently nothing.
14. I therefore conclude that the proposed development would harm the character and appearance as well as amenity of the area and cause harm to the setting of the CA and would cause harm to its significance. The proposal would conflict with Policies DH1, DH6 and V9 of the Oxford Local Plan 2036 Adopted 8th June 2020 (LP). Amongst other things, these seek to ensure that development is of high-quality design and enhances local distinctiveness and the design responds to and positively contributes to the character of surroundings.

Other Matters

15. The appellant has referred to other appeals in an attempt to justify their case. I do not have the full details in respect of such examples so I cannot be sure of the circumstances. In any case, I have determined the appeal on its own merits, based on the evidence before me.
16. In regard to Union Street / High Street¹ the existing telephone kiosks were identified as being close to the appeal site, which is not the case for the proposal before me. In regard to the benefits of the proposed scheme, I have also considered these as part of the appeals before me.
17. In regard to Junction at Oozells Street and Broad Street², this relates to a different area and the Council in that appeal also considered the development to have a relatively neutral effect which is not the case for the proposals before me.
18. In respect of Church Street³, while the Inspector found that heritage assets are observed from a distance and as such the impact on their integrity will be limited, the appeal relates to a different site with different considerations. For the reasons outlined I have found harm in the appeals before me.
19. Pavement o/s 94 London Road⁴ relates to a different location and the effect on the setting of a Conservation Area was not a consideration which differs from the appeals before me.

¹ APP/P4605/W/18/3202341 + APP/P4605/H/18/3201305

² APP/P4605/W/22/3311745 + APP/P4605/H/22/3311746

³ APP/Z4310/W/18/3205104 + APP/Z4310/W/18/3205102

⁴ APP/G3110/W/22/3308266 + APP/G3110/H/22/3308267

20. The appellant considers that the presence of advertising on the existing kiosks provides a precedent for advertisements on street furniture, however as these are located elsewhere and there is currently nothing on the appeal site, I do not find this to be the case.

Heritage Balance

21. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset and that this should have a clear and convincing justification.
22. Given the scale of the proposed development, I find the harm to be less than substantial and at the lower end of the spectrum, but nevertheless of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
23. The proposed development would enable pedestrians to make phone calls for free, access local information and navigation, charge devices, provide free Wi-Fi, have a button for emergency services, have the capability for public messages and would be able to monitor movements as well as air, sound and light. Providing access to Wi-Fi could also improve the use of public transport through members of the public being able to access information online. However, these benefits would be modest due to the small scale of the proposed development and as such they would not outweigh the harm I have identified.
24. The proposed development would therefore conflict with Policy DH3 of the LP and Paragraph 212 of the Framework. Amongst other things, these seek to ensure that great weight will be given to the conservation of that asset and to the setting of the asset where it contributes to that significance or appreciation of that significance.

Conclusion

25. For the reasons given above the appeals should be dismissed.

D Wilson

INSPECTOR