



Appeal Decision

Site visit made on 7 May 2026

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st June 2026

Appeal A: Ref: 6004725

Footpath outside 45 Oxbridge Lane, Stockton-on-Tees, TS18 4AP

- 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 Stockton-on-Tees Borough Council.
 - The application Ref is 25/2148/FUL.
 - The development proposed is installation of new BT street hub and associated display of advertisement panels to both sides of the unit.
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Appeal B: Ref: 6004726

Footpath outside 45 Oxbridge Lane, Stockton-on-Tees, TS18 4AP

- 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 Verity Cheyne of BT Group Plc against the decision of Stockton-on-Tees Borough Council.
 - The application Ref is 25/2149/ADV.
 - The advertisement proposed is installation of new BT street hub and associated display of advertisement panels to both sides of the unit.
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Decision

Appeal A: Ref: 6004725

1. The appeal is dismissed.

Appeal B: Ref: 6004726

2. The appeal is dismissed.

Preliminary Matters

3. Various wordings for the location and the description of the proposals have been given in the submitted documents. However, in the interests of consistency I have used the location and descriptions as given in the appellant's Appeal Statement.
4. The proposals are located on the same site and relate to each other. I have therefore considered the appeals in a single decision letter to avoid repetition. I have also dealt with 2 appeals¹ for similar proposals elsewhere in the Council's area, and due to these similarities there will be some repetition in the respective decision letters. However, I have considered each proposal on its individual merits.

¹ Appeal Refs 6004722, 6004723

5. In relation to Appeal B, the reasons for refusal refer to the policies of the development plan and a supplementary planning document (SPD). However, the Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken the development plan policies and SPD into account, they have not been a decisive consideration in my determination of this appeal.

Main Issues

6. The main issues in respect of Appeal A are the effect on the character and appearance of the area; and crime and anti-social behaviour.
7. The main issues in respect of Appeal B are the effect on amenity.

Reasons

Character, Appearance and Amenity

8. The appeal site is located to the front of a parade of commercial premises on the busy through-road of Oxbridge Lane. The streetscape in the vicinity of the site predominantly consists of commercial and community uses, with other uses on upper floors. However, the character of the wider area is predominantly residential.
9. There is some street furniture in the area, including litter bins, lampposts, railings and traffic lights for a pedestrian crossing. However, these features are of a limited height or are relatively slim in appearance. The exception to this is a bus shelter which includes a double-sided illuminated advertisement panel. Despite the extent of street furniture, this wide area of footpath to the front of the commercial units is of a relatively uncluttered character.
10. Whilst the hub may be slimmer in profile than a typical phone kiosk, it would introduce a freestanding slab-like feature with illuminated changing displays. The illuminated advertisements on the bus shelter are of a similar scale to those proposed. However, these are viewed as being integral to the bus shelter, whereas the appeal proposals would be a free-standing structure of an obtrusive appearance within the pavement. Moreover, the advertisements on the bus shelter are static images, and are therefore less intrusive than the changing images of the proposals. On balance, I consider that the bus shelter and associated advertisements are materially different to the proposals and do not establish a context that justifies the appeal proposals.
11. Even within the context of the nearby commercial frontage, bus shelter and streetscape, the proposed street hub would be a prominent and obtrusive feature which would be distinctly separate from the commercial frontages and of a different appearance to nearby features. The proposed illuminated advertisements would add to this jarring appearance, with the illumination and changing nature of the advertisements drawing the eye.
12. Reference has been made to the removal of a phone box elsewhere on Oxbridge Lane. However, this is some distance from the appeal site and is not viewed as being part of the same streetscape. In any event, this phone box is located in a less prominent position towards the back of the pavement. Although the removal of this phone box would be a benefit, it would not outweigh the harm arising from the obtrusive appearance of the proposals in this part of the streetscape.

13. For the reasons stated above, in respect of Appeal A, the proposals would lead to significant harm to the character and appearance of the area. In respect of Appeal B, the proposal would lead to significant harm to the amenity of the area. The proposals would therefore be contrary to the public realm and design principles of Policy SD8 of the Stockton-on-Tees Local Plan 2019. The proposals would also conflict with the National Planning Policy Framework (the Framework) with regards to achieving well-designed places.
14. The advertisements would also not comply with the advice of the Shop Front Design and Advertisements SPD with regards to clutter and appearance resulting in harm to visual amenity.

Crime and Anti-Social Behaviour (Appeal A only)

15. The appeal site is in an area that has faced a variety of crime and anti-social behaviour issues, as is set out in the comments of the Council's Community Safety Team as well as Cleveland Police. Although the 'Clear, Hold, Build' community safety initiative appears to be winding down, the evidence suggests that the area remains vulnerable as is indicated by the recorded crimes in the area set out by Cleveland Police as well as the ongoing 'Operation Nightfall'.
16. Within this context, there is a significant possibility that the services provided by the hub would be a focus for crime and anti-social behaviour in the area. This would include the freephone and wi-fi facilities, and the location of the hub would potentially be a gathering point for activities that have been identified by consultees and the Council.
17. The appellant contends that there is no evidence that the Street Hub unit would encourage anti-social behaviour, and that it does not provide an enclosed space that would encourage people to loiter. However, the Police have referred to issues arising in locations elsewhere associated with the freephone facility, and whilst this is anecdotal I have no reason to doubt that this is an accurate summary of the issues that can be created by facilities such as this.
18. The appellant has submitted an Anti-Social Behaviour Management Plan which refers to measures including regular monitoring of the site and the use of automatic anti-social call restriction. However, this also states that suspected criminal behaviour may need to be managed through official police channels and the appellant also refers to the ability to adapt operational controls in agreement with the police. To my mind, this would mean adding unacceptably to the workload of the police in an area where there is clear evidence of elevated levels of crime and anti-social behaviour.
19. Although the appeal site is located close to a commercial frontage, this does not diminish the harm that can arise from anti-social behaviour. In any event, the wider area is of a residential character which could be affected by the issues identified by the Council and consultees. Although no objections have been received from nearby properties this does not lead me to a different conclusion about the harm arising from anti-social behaviour in this location.
20. The appellant submits that an existing kiosk will be removed as part of the proposal thereby helping to reduce the risk of crime. However, this kiosk is located some distance from the appeal site and its removal would not justify the introduction of the appeal proposal in this particular location. That said, I saw that there was some

evidence of anti-social behaviour associated with the existing kiosk and its removal would be a benefit to the wider area. However, it has not been demonstrated that this kiosk provides the same extent of facilities as the appeal proposal, including those which can exacerbate anti-social behaviour. On balance, I do not consider that the benefits of the removal of the kiosk outweigh the harm arising from the appeal proposal on this issue,

21. I therefore conclude that the proposal would exacerbate issues of crime and anti-social behaviour in this area. The proposal therefore conflicts with Policy SD8 of the Local Plan with regards to being designed to reduce crime. The proposal would also be contrary to the Framework with regards to promoting safe communities.

Other Matters

22. With regards to Appeal B, the Council has not referred to matters of public safety in its reason for refusal. Although I have identified issues of crime and anti-social behaviour in respect of Appeal A, this is in relation to the hub unit rather than the advertisements. On that basis, I have no reason to disagree with the Council that the proposal which is the subject of Appeal B would not lead to harm to public safety.
23. I have had regard to the benefits identified by the appellant. This includes benefits relating to Wi-Fi and connectivity, access to public and emergency services, device charging, environmental and traffic monitoring, as well as business, council, community and emergency services messaging. The illuminated advertisements may also provide indirect lighting, although the area is already served by street lighting. Furthermore, many of these benefits are already available as part of general service provision and may also be provided by infrastructure of a more appropriate design and location.
24. In respect of Appeal A, these benefits therefore carry limited weight in favour of the appeal proposal, and they do not outweigh the significant harm I have identified. In respect of Appeal B, advertisements should be subject to control only in the interests of amenity and public safety, and these benefits therefore weigh neither for nor against the appeal.
25. Reference has been made to existing digital advertising units elsewhere in the Council's area as well as other Appeal Decisions. However, it has not been demonstrated that these are a direct parallel to the appeal proposals in respect of matters including the form of the units, the site context, or the circumstances that led to those units being allowed. In any event, I have determined the appeals before me on their own merits.

Conclusion

26. Considered individually and cumulatively, the public benefits arising from the proposals carry no more than limited weight in favour of the appeals, and would not outweigh the harm I have identified. For the reasons given, I conclude that both Appeal A and Appeal B should be dismissed.

David Cross

INSPECTOR