



Appeal Decisions

Site visits made on 29 September 2025 and 27 October 2025

by **R Major BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th November 2025

Appeal A Ref: APP/B4215/W/25/3369457

Footpath outside 961 Oldham Road, Manchester M40 2FF

- 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 of BT Group PLC against the decision of Manchester City Council.
- The application Ref is 142703/FO/2025.
- The development proposed is described as installation of 1no. BT Street Hub Unit and associated advertisement panels on either side unit.

Appeal B Ref: APP/B4215/H/25/3369458

Footpath outside 961 Oldham Road, Manchester, M40 2FF

- 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 Simon Warner of BT Group PLC against the decision of Manchester City Council.
- The application Ref is 142704/AOH/2025.
- The advertisement proposed is described as installation of 1no. BT Street Hub Unit and associated advertisement panels on either side unit.

Decision

1. Appeal A is dismissed.
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 to erect a street hub unit (the hub). Appeal B concerns the refusal of express consent for advertisement panels on either side of the hub. I have considered each appeal on its individual merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
4. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken account of the policies that the Council considers to be relevant, these have not been decisive in my determination of this appeal.
5. An initial site visit was made on 29 September 2025. A follow-up site visit was undertaken on 27 October 2025.

Main Issues

6. The main issues in respect of Appeal A are the effect of the proposal on:
 - the character and appearance of the area; and
 - highway and pedestrian safety.

7. Whilst the Council's Decision notice in respect of the advertisement consent does not include a reason for refusal in respect of public safety, in view of the public safety issues raised in both parties' evidence this matter is a main issue in Appeal B. Consequently, the main issues in respect of Appeal B are the effect of the proposed advertisement on amenity and public safety.

Reasons

Character, appearance and visual amenity

8. The appeal site is located on the footway to the south of the busy, four lane carriageway of Oldham Road (A62). Directly to the south of the appeal site is a grassed verge consisting of a line of street trees, which positively contribute to the character and appearance of this area. Beyond this green landscaped area is the highway of Troydale Drive which has residential properties fronting on to it and facing towards the appeal site.
9. To the north, on the opposite side of Oldham Road, is a post office, with some residential properties also located on this side of the highway. To the west of the post office building is a terrace row of four commercial properties.
10. Within the immediate vicinity of the appeal site the pavement on this side of Oldham Road has an open and uncluttered appearance, consisting of lighting columns and street trees. To the west of the appeal site is an existing telephone kiosk, and beyond this is a street cabinet and a signal-controlled pedestrian crossing. Further to the west is a bus shelter.
11. The proposal would see the introduction of a street hub, with advertisement panels on either side, in a prominent location adjacent to this busy highway. Whilst recognising there are commercial properties on the opposite side of this wide highway, the hub would be sited on a section of the pavement which is largely free of street furniture and advertisements. Due to a combination of its height, width and freestanding position, the proposed hub would create visual clutter, to the detriment of the existing open character of the street scene in this location.
12. In coming to this view, I acknowledge that the proposed hub would replace the existing telephone kiosk located to the west. However, the proposed hub would be taller than this kiosk and with its large digital advertisement panels on both sides it would represent a more dominant and overbearing feature. Additionally, against the backdrop of the landscaped verges and trees, and the residential properties beyond, I find the proposed hub and adverts would represent a more discordant and intrusive presence in comparison to the existing kiosk to be removed.
13. The submission also details that an existing kiosk at no.121 Briscoe Lane would be removed, reducing street clutter in that location. However, that kiosk is located a significant distance from the appeal site and is therefore visually unrelated. This limits the weight I can attribute to its removal in favour of the appeal proposal.
14. The appellant has also drawn my attention to the visual impact of existing bus stops located along Oldham Road, which include advertisement panels. Sheltered bus stops are however an established and common feature along this busy highway, and their presence is therefore both regular and expected. Whereas the appeal proposal would introduce an alien and incongruous feature which, for the above reasons, I find to be visually harmful to the street scene.

15. Furthermore, the advertisements I observed on these bus shelters were paper and therefore the digitised nature of the proposed advertisements, along with their changing images, would represent a more visually strident feature within the street scene in comparison to the advertisements at these bus stops. In this context I find the existence of existing bus shelters, with paper advertisements, along Oldham Road to be a matter of limited weight in my consideration of the impact of the proposal on visual amenity.
16. In view of all the above, I conclude that the proposed development would harm the character, appearance and visual amenity of the area. The proposal would therefore conflict with Policies DM1, EN1 and SP1 of Manchester's Local Development Framework Core Strategy Development Plan Document (adopted 2012 and amended 2024) (CS), saved Policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester (1995) (UDP) and Policy JP-P1 of the Places for Everyone Joint Development Plan (2024), where they together seek to ensure, amongst other things, that development is appropriate, respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used; upgrades the appearance of major radial and orbital roads; and incorporates high quality in the design and finish of the public realm.
17. The proposal would also fail to accord with the relevant provisions of the National Planning Policy Framework (the Framework), which have similar aims.

Highway, pedestrian and public safety

18. To the west of the appeal site is a signal-controlled pedestrian crossing. The submitted plans do not annotate the location of this pedestrian crossing and neither party has provided details in respect of the distance between the proposed hub and these traffic lights. As such, my assessment of the impacts of the proposal on these lights is based on my observations on site.
19. Due to the straight nature of the highway and set back of the proposed hub from the kerb of the carriageway, the proposed freestanding installation would not obstruct road users' direct views of these traffic lights.
20. When travelling west along Oldham Road, approaching from the east, the proposed hub and advertisements would be viewed before reaching these lights. Due to a number of factors, including the set back of the installation on the pavement; the distance between the proposed hub and these lights; the straight and flat nature of this section of the highway; and the number of traffic lights serving this crossing, which includes lights on either side of the carriageway and an additional higher level light, I find that the proposal would not distract or confuse road users as they approach this pedestrian crossing.
21. When approaching from the west, the proposed hub would be sited on the opposite side of the carriageway and behind the traffic lights at this pedestrian crossing. Due to the same combination of factors as those detailed above, I find that the proposed hub would not distract or confuse road users as they approach from this direction, or wait at the pedestrian crossing.
22. I note that the Council have also raised concerns in respect of the proposal distracting pedestrians. However, I observed that the symbols advising pedestrians when to cross the road are located on the 'Push and Wait' panels affixed to the traffic light poles. As such, I do not find that the proposal would

compromise views or distract pedestrians as they wait and observe these symbols when using this crossing. Furthermore, given the distance between the proposed hub and the bus stop to the west, as well as the set back of the hub from the carriageway, it would not have a harmful impact upon the sightlines, or operations, at this bus stop.

23. In view of all the above, on the information before me, I conclude that the proposal would not be harmful to highway, pedestrian and public safety. The proposal therefore complies with CS Policies DM1 and SP1, where they together seek to ensure, amongst other things, that development has regard to road and community safety. The proposal also accords with the provisions of the Framework where it states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety.
24. In coming to my conclusion, I have also taken into consideration paragraph 141 of the Framework in so far as it is material in respect of its aim of controlling advertisements in the interests of public safety.

Other Matters

25. I note the Council's reasons for refusal in respect of the proposed hub refer to conflict with UDP Policy DC17.1. This policy states that applications for telecommunications developments will normally be approved if the Council can be satisfied that the development has been sited and designed to minimise its impact on residential amenity and in environmentally sensitive areas.
26. From my observations on site and the evidence that is before me, I find that the proposal would not result in any harm to the living conditions of nearby occupiers, and no evidence has been provided to demonstrate that the appeal site is within an environmentally sensitive area. As such I do not find UDP Policy DC17.1 to be determinative in respect of the main issues raised in this appeal.
27. The submission states that the proposed hub would be located further away from the pedestrian crossing and traffic lights, in comparison to the existing kiosk, to prevent a distraction to road users, as well as this being a wider section of pavement. These factors do not however overcome the harm I have identified that would arise from the siting of the hub in the proposed location on the character, appearance and visual amenity of the area. Furthermore, it has not been demonstrated the appeal site is the only alternative location for the proposed hub. This therefore limits the weight I give to this matter in favour of the appeal proposal.
28. Both parties have drawn my attention to a number of allowed and dismissed appeal decisions¹ for hubs and associated advertisements throughout the country. Whilst I have had due regard to these decisions, issues relating to the impact of a proposal upon the character, appearance and visual amenity of an area are matters of planning judgement based on the site-specific circumstances and surroundings.
29. In this regard, I have been provided with limited information in respect of these appeal decisions that would enable me to draw any direct comparisons with the appeal site and scheme before me. These decisions therefore carry limited weight in my determination of this appeal.

¹ APP/Z5630/H/3209488; APP/N5090/Z/22/3296138; APP/N5090/D/22/3296141; APP/N5090/Z/22/3295689; APP/J2373/H/22/3305026; APP/J2373/W/22/3304941; APP/J2373/W/22/3305075; APP/J2373/H/22/3304942 & APP/Z3636/W/25/3361981

Planning Balance

30. I have had due regard to the benefits of the proposal. In respect of Appeal A, paragraph 119 of the Framework states that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social well-being. The Framework also seeks to support the expansion of electronic communication networks. The hub would therefore support the Government's aim of improving digital infrastructure.
31. The proposal would include ultrafast public and encrypted wi-fi, access to public services, multiple accessibility options, secure power-only USB ports for rapid device charging, free phone calls, a direct emergency call button, community and emergency awareness messaging, and environmental sensors to measure air quality, noise and traffic. The hub would also provide improved 5G coverage to local communities through the installation of small cell mobile connectivity providing faster and more reliable connection for calls and internet access, as well as free screen time for council advertising.
32. The hub would provide some indirect lighting and be powered by 100% renewable carbon-free energy, which is an environmental benefit. I also note the appellant's view that the proposed unit could assist in encouraging shoppers to return to the town centre.
33. Nevertheless, when taken together, I find that all the above-mentioned benefits do not outweigh the harm I have identified that the proposal would have upon the character, appearance and visual amenity of the area.
34. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. As such, most of the proposed benefits put forward by the appellant cannot be taken into consideration in my decision for Appeal B. Nonetheless, even in a scenario whereby I accepted that use of the advertisement to display emergency messages and public messaging campaigns was a public safety matter relevant to the control of advertisements, the benefits derived from it would not overcome the harm I have identified to visual amenity.

Conclusion

35. I conclude that the appeal proposal would not harm pedestrian, highway and public safety. However, for the reasons given I have concluded that the proposal would have a harmful impact upon the character, appearance and visual amenity of the area.
36. Appeal A therefore conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Appeal B would harm visual amenity.
37. Therefore, for the reasons given, both Appeal A and Appeal B are dismissed.

R Major

INSPECTOR