



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/25/3369446

Footpath on Ashton New Road opposite Grey Mare Lane junction, Manchester
Easting: 396877 Northing: 398332

- 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 142695/FO/2025.
- The development proposed is described as installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of the unit.

Appeal B Ref: APP/B4215/H/25/3369448

Footpath on Ashton New Road opposite Grey Mare Lane junction, Manchester
Easting: 396877 Northing: 398332

- 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 142696/AOH/2025.
- The advertisement proposed is described as installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of the 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.
6. The description of the site address was altered during the Council's consideration of the planning and advertisement consent applications. The description of the site address in the above banner heading is therefore taken from the appeal form.

Main Issues

7. 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.
8. 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

9. The appeal relates to a section of pavement on the northern side of Ashton New Road (A662), opposite the junction with Grey Mare Lane. This highway is a busy radial route which connects to the major orbital traffic route of Alan Turing Way (A6010) to the east of the appeal site.
10. The surrounding area has a mixed-use character with views on the northern side of this section of Ashton New Road dominated by the Etihad Stadium. Further to the north is the Co-Op Live Arena. On the south side of Ashton New Road the properties are predominantly in residential use within the Grey Mare Masterplan area, which is identified for residential led regeneration.
11. The appeal proposal seeks to erect a street hub unit with advertisement panels on either side. The proposed installation would be an upstanding rectangular structure and would house features that provide free Wi-Fi, free UK calls, USB charging, access to emergency services and other facilities.
12. The section of pavement upon which the proposed hub would be installed is wide. Apart from lighting columns, which are set back from the vehicular carriageway, there is limited existing street furniture within the immediate vicinity of the appeal site. This creates a clear and welcoming area for pedestrians, and the adjacent grassed verge and row of trees only add to the pleasant and open aspect of this important frontage along this part of Ashton New Road.
13. Due to a combination of its height, width and freestanding position close to the edge of the carriageway, the proposed hub, with its large digital advertisement panels on both sides, would represent a dominant and obtrusive feature on the pavement. It would also create visual clutter to the detriment of the existing open character of the street scene.
14. In coming to this view, I acknowledge that there are bus shelters and road signs elsewhere along Ashton New Road. However, the nearest bus stops are served by bus laybys which result in the bus shelters being set at the back of the footway, close to the grassed verge and trees. Whereas the proposed hub would be set close to the edge of the carriageway which increases its visual prominence in comparison to these shelters. The rotating digital adverts on the proposed hub would also be a more strident and incongruous feature in comparison to the paper adverts within these bus shelters.
15. With regard to nearby road signs, these are erected on poles with the signs raised above ground and eye level. As such, the road signs do not obstruct the long and pleasant views which are currently afforded along this section of Ashton New

Road in the same way as the proposed hub would with its solid appearance from top to bottom. I find that the proposed hub would therefore represent a more discordant and imposing presence in comparison to the existing items of street furniture within the wider area.

16. The appellant has referred to an existing freestanding sign at the junction with Alan Turing Way. However, this is located around the corner and is not viewed in the same context as the appeal site. Furthermore, I observed that this sign was not digitised and it is set back from the carriageway on a grassed verge, rather than on the pavement. The appellant also draws my attention to a sign on the side of no. 286 Ashton Road. Again however, this sign is not digitised, is attached to a building and is therefore set back from the edge of the carriageway used by vehicles.
17. I therefore find these existing signs are not comparable to the proposed hub which would feature rotating digital images and would be located on the footway, close to the edge of the carriageway.
18. The appellant also refers to the removal of an existing phone kiosk at no. 58 Darley Street. The Council however state that this kiosk has already been removed and this has not been disputed by the appellant. Furthermore, at the time of my visit there was no kiosk in the location shown on the photographs provided within the appellant's evidence
19. In any case, I found this location at Darley Street is not visible from the appeal site, is not as visually prominent and the character of the area is more residential. Thus, I find the appeal site and the location at Darley Street are visually unrelated and not comparable. The above matters therefore limit the weight I can attribute to the removal of this phone kiosk in favour of the appeal proposal.
20. 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, EC7, EN1, SP1 and T1 of Manchester's Local Development Framework Core Strategy Development Plan Document (adopted 2012 and amended 2024) (CS), saved Policies E3.3 and DC15 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) (PfE), 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; incorporates high quality in the design and finish of the public realm; improves the pedestrian environment; upgrades the appearance of major radial and orbital roads; and considers wider design objectives and takes advantage of important frontages.
21. 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

Visibility

22. The carriageway along Ashton New Road in this location is predominantly two lanes wide. However, adjacent to the appeal site the highway has three lanes, with the middle lane used for vehicles turning right into Grey Mare Lane. To the west of the

appeal site is an existing access into a car park. This car park was operational at the time of my visit and I observed vehicles entering and leaving.

23. The proposed hub would be located relatively close to this access point and given its siting close to the edge of the carriageway I find the proposed hub could negatively impact upon the sightlines of vehicles leaving this access to join Ashton New Road.
24. As part of their appeal submission the appellant has shown a left-hand visibility splay on the location plan to demonstrate the achievable visibility at this access point. This location plan is however provided at a large scale and lacks specific detail in respect of the road layout and lanes.
25. Additionally, the left-hand visibility splay appears to be drawn to the centre line of the carriageway as opposed to the near side of the carriageway which is advised within the manual for streets¹ when approaching vehicles from the left can cross the centre line. It is not explained why the visibility splay has been drawn to this point and during my first visit I observed a vehicle overtaking another and therefore crossing the centre line in the vicinity of the appeal site and the visibility splay.
26. In view of the above, based on the information before me and my observations on site, it has not been adequately demonstrated that the proposed development would not harmfully impact upon the visibility of road users as they leave this access point to join Ashton New Road, particularly when turning right out of this access.

Pedestrian movements

27. With regard to pedestrian movements, the submitted plan shows a distance of approx. 3.3m would be provided on the footway between the proposed hub and the back of the pavement which is defined by a grassed verge.
28. This gap of 3.3m would meet the recommendations contained within the inclusive mobility guidance document². However, this is only guidance, and I acknowledge that given the volume of pedestrians that use this footway during events at the nearby stadium and arena, a wider pavement is often required in this particular location.
29. Nonetheless, I observed several bus shelters along this section of Ashton New Road. As mentioned, these bus shelters are set back from the carriageway and are often served by a bus layby. Consequently, where these bus shelters are located the useable pavement reduces to a significantly narrower width than that which would be provided adjacent to the proposed hub. I have not been provided with any evidence to demonstrate that the narrower sections of footway resulting from these existing bus shelters causes any pedestrian safety issues during events.
30. Additionally, due to its slim depth the proposed installation would narrow the footway for a shorter period than these nearby bus shelters.
31. As such, even allowing for substantial increases in pedestrian movements along the footway during events, given my observations of sections of footway widths in the wider area, I find that sufficient space would remain to allow for unimpeded access

¹ Manual for Streets – Department for Transport (2007)

² Inclusive Mobility – A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure. Department for Transport (2021)

along the pavement for users of all mobility levels. Pedestrians would not therefore be required to leave this pavement because of the appeal proposal and could negotiate the area without being unduly impeded. As such the proposal would not result in a harmful impact upon pedestrian movements and I therefore find no conflict with the provisions of CS Policies T1 and EC5, and PfE Policy JP-P1, where they together seek, amongst other things, to provide opportunities for walking and cycling, and ensure that areas are easy to move around for those of all mobility levels.

Summary on highway, pedestrian and public safety

32. Whilst I have found that the proposal would not have a harmful impact upon pedestrian movements, for the reasons given earlier, it has not been demonstrated that the proposed installation would not obscure visibility for vehicles joining Ashton New Road from the nearby access point to the west. I therefore conclude that the proposal would be harmful to highway and public safety in conflict with CS Policies DM1 and SP1 and UDP Policy DC15.2, where they together seek to ensure that development has regard to road, public and community safety. The proposal would also be contrary to the highway safety provisions of the Framework.
33. 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

34. The appellant has drawn my attention to allowed appeal decisions³ 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.
35. 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.

Planning balance

36. 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.
37. 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

³ APP/Z5630/H/3209488; APP/N5090/Z/22/3296138; APP/N5090/d/22/3296141

faster and more reliable connection for calls and internet access, as well as free screen time for council advertising.

38. The hub would also 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.
39. 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, and highway and public safety.
40. 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 and public safety.

Conclusion

41. I conclude that the appeal proposal would have a harmful impact upon the character, appearance and visual amenity of the area. It would also cause harm to highway and public safety.
42. 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 and public safety.
43. Therefore, for the reasons given, both Appeal A and Appeal B are dismissed.

R Major

INSPECTOR