



Appeal Decisions

Site visit made on 27 October 2025

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

an Inspector appointed by the Secretary of State

Decision date: 13th November 2025

Appeal A Ref: APP/B4215/W/25/3370170

Footpath outside Civic Centre, Wythenshawe, Manchester M22 5HZ

- 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 142719/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/25/3370172

Footpath outside Civic Centre, Wythenshawe, Manchester M22 5HZ

- 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 142720/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.

Main Issues

5. 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.
6. 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

7. The appeal proposal seeks to erect a hub unit on the northern side of Simonsway. The proposed hub would be sited on a grass verge situated between the vehicular carriageway and the footway, close to an uncontrolled pedestrian crossing point. The proposed installation would be an upstanding rectangular structure, with advertisement panels on either side, and would house features that provide free Wi-Fi, free UK calls, USB charging, access to emergency services and other facilities.
8. The surrounding area has a mixed-use character with a retail park and its associated car park located to the north. To the south, on the opposite side of the highway and the tramline, the properties are predominantly in residential use.
9. Within the immediate vicinity of the appeal site the public realm is uncluttered. The section of grassed verge upon which the hub would be sited is currently lacking in street furniture, except for a small road sign to the northwest which advises of no loading in this area.
10. I did observe other items of street furniture in the wider vicinity, including directional signs, lighting columns, traffic bollards on the central island used by pedestrians, a bus shelter to the northwest and handrails either side of a pedestrian ramp serving the adjacent retail park. Additionally, a freestanding totem sign for an ASDA store is positioned on a nearby grass verge.
11. Nevertheless, overall, I found the level of street furniture in this location to be limited. This, along with the wide nature of the highway created by the grass verges either side of the carriageway and footway areas, as well as the row of trees separating the highway from the retail park to the north, all contribute to providing a pleasant, open and verdant character and appearance along this section of Simonsway.
12. Due to a combination of its siting, height and width, the proposed freestanding hub, with its large digital advertisement panels on both sides, would represent a prominent, dominant and obtrusive feature in this location. It would also create visual clutter in an area that is largely free of street furniture, to the visual detriment of the existing open character of the street scene.
13. In coming to this view, I acknowledge the existing totem sign to the east. However, this totem sign sits on the grass verge located on the other side of the footway. It is therefore positioned nearer to the commercial buildings within the retail park. This totem also aligns with an existing row of trees which reduces its visual prominence within the street scene.
14. In comparison, the proposed hub would be sited on a grass verge between the footway and the highway, as well as in front of the trees when viewed from the road. Consequently, I find the proposed hub would represent a visually more prominent and obtrusive feature within this area than this existing totem.
15. I am also aware of the bus shelter to the northwest of the appeal site. However, this bus stop is served by a layby which results in the shelter being set back from the main vehicular section of the carriageway. Whereas the proposed hub would

- be positioned on the grassed verge adjacent to the carriageway, which increases its visual prominence in comparison.
16. Furthermore, the rotating digital adverts on the proposed hub would be a more strident and incongruous feature in comparison to the paper adverts within this bus shelter, and the nearby totem sign.
 17. My attention has also been drawn to a larger totem sign to the northwest of the appeal site. This totem is however located at the traffic light-controlled junction which provides access to the retail park from Simonsway. I observed that area consists of significant levels of street furniture, including a tall lighting column and a tall CCTV pole either side of the totem. As such, the character and appearance of that particular section of the highway is significantly different to that of the appeal site, which has a more open context.
 18. I note the appellant's submission refers to the removal of 4no. existing phone boxes at no. 13 Hale Top and 1no. phone box opposite no. 304 Portway. However, both these locations are not visible from the appeal site and thus I found them to be visually unrelated. This therefore limits the weight I attribute to the removal of these existing kiosks in favour of the appeal proposal.
 19. 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 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), 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; and incorporates high quality in the design and finish of the public realm. The proposal would also fail to accord with the relevant provisions of the National Planning Policy Framework (the Framework), which have similar aims.
 20. I have also had regard to the principles to produce high quality and inclusive design set out within the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (2007) (SPD). Given that I have concluded that the proposal would harm visual amenity for the reasons detailed above, I therefore conclude the proposal would also conflict with this guidance.

Highway, pedestrian and public safety

21. As mentioned, the proposed hub would be located close to an uncontrolled pedestrian crossing point. I observed during my visit, on a weekday morning, that this crossing point was busy with people using it to access or leave the nearby retail park. I saw pedestrians, including those with young children, frequently using this crossing point, as well as people pushing buggies, on mobility scooters, bikes and in wheelchairs.
22. The proposed hub would be located on the northern side of the carriageway, and immediately to the northwest of this crossing point. As such, when vehicles are travelling from the northwest, therefore heading southeast along Simonsway, the hub would be positioned shortly before they reach this crossing point.

23. Given the height, width and solid design of the proposed hub, as well as its siting so close to the crossing, there would be a period whereby pedestrians walking on the northern side of the highway, towards the crossing, would lose sight of vehicles approaching on the nearside of the carriageway. Similarly, users of the road would lose sight of pedestrians as they walk behind the proposed hub.
24. Furthermore, pedestrians approaching the crossing along the footway from the east, beyond the hub, would have a prolonged period of obstructed views of vehicles on the road, and vice versa, because of its proposed siting.
25. In my judgement this obstruction of views caused by the siting of the proposed hub is a potential danger to highway safety, including vulnerable users, such as those with young children, or those in a wheelchair.
26. For example, a young child may be walking slightly ahead of their carer and lose sight and awareness of any oncoming vehicles on the nearside of the carriageway because of the hub's proposed siting so close to this crossing point. Furthermore, they could also be easily distracted by its rotating digital display.
27. Similarly, someone pushing a wheelchair or a child's buggy in front of them might only see an oncoming vehicle after they have cleared the hub, and at which point the buggy or wheelchair would be closer to the edge of the carriageway.
28. Such scenarios not only present a danger to the pedestrians approaching the crossing, but also to drivers if a pedestrian suddenly, and unexpectedly, appears from behind the hub, close to the edge of the carriageway. If the driver or cyclist was not aware of their presence it could cause them to break sharply or swerve once they see a pedestrian emerge from behind the hub. This therefore also causes a highway safety issue for road users, as well as pedestrians.
29. In coming to the above views, I note that the appellant has provided a photo visualisation of the hub to demonstrate the visibility that would be provided close to the crossing. However, the appellant acknowledges that this visualisation is not to scale, and furthermore it appears that the photo was taken by a person standing on a grass verge that is further away from the proposed hub than the crossing point.
30. This visualisation does not therefore provide an accurate depiction of the proposed visibility between pedestrians and road users as they approach this crossing point, and this therefore limits the weight I can attribute it.
31. I also acknowledge the appellant refers to the approx. 2.8m set back of the hub from the edge of the carriageway as a sufficient distance to ensure that visibility is not affected. I am not convinced that this is a sufficient set back given the short distance that would be provided between the proposed hub and the crossing point.
32. As such, given my above concerns, and in the absence of detailed evidence of the visibility and sightlines that would be provided between pedestrians and road users on approach to this crossing point, it is reasonable to take a precautionary approach in regard to this highway safety concern.
33. In view of all the above, based on the information before me and my observations on site, I conclude that the siting of the appeal proposal would unacceptably obscure views between pedestrians and road users at this busy, uncontrolled pedestrian crossing point, to the detriment of highway, pedestrian and public safety. The

proposal therefore conflicts with CS Policies T1, DM1 and SP1, where they together seek to ensure that development has regard to road and community safety, and improves pedestrian routes and the pedestrian environment. The proposal would also be contrary to the highway safety provisions of the Framework, and I find conflict with the SPD where it seeks to ensure ease of movement through pedestrian and cyclist safety.

34. 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

35. To the southwest of the appeal site, on the opposite side of the highway and tramline, is the Grade II listed William Temple Memorial Church. I found the significance of this distinctive brick property derives from its sweeping low-pitched roof with sloping dormers and a slim tower. As well as the two tall gable elevations at either end, which include a large number of vertical strip windows.
36. In determining this appeal I have a statutory duty, under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
37. The proposed hub would be sited on the opposite side of the road to this listed building, with the addition of a grassed area and tramline providing a significant separation distance between the church and the appeal site. Through a combination of this separation and the size of the installation, I consider that the proposed hub would not compromise the setting of this listed building or any of its features of special architectural or historic interest.
38. Consequently, I conclude that the appeal proposal would preserve the setting of this listed building and its features of special architectural and historic interest, a view that I note is also shared by the Council's Heritage and Urban Design Officer.
39. I note the Council's reason for refusal in respect of the impact of the proposed hub on the character and appearance of the area refers 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.
40. From my observations on site and the evidence that is before me, 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.
41. The Council have commented that emergency vehicles use this grass verge to park. However, given the modest footprint of the proposed hub I consider that there would remain sufficient space for emergency vehicles to park in this area should the need arise, and no substantive evidence has been provided to suggest otherwise.

42. Both parties have drawn my attention to 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.
43. 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

44. 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.
45. 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.
46. 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.
47. 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 pedestrian, highway and public safety.
48. 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

49. 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 pedestrian, highway and public safety.

¹ APP/Z5630/H/3209488; APP/N5090/Z/22/3296138; APP/N5090/D/22/3296141 & APP/Z3636/W/25/3361981

50. 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.
51. Therefore, for the reasons given, both Appeal A and Appeal B are dismissed.

R Major

INSPECTOR