Planning Inspectorate

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: 4 October 2025

Appeal A Ref: APP/B4215/W/25/3369449
Footpath Outside 720 Wilmslow Road, Didsbury, Manchester M20 2DW

- 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 142697/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/25/3369450
Footpath Outside 720 Wilmslow Road, Didsbury Manchester M20 2DW

- 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 142698/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

2. 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.

3. 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

4. The main issues in respect of Appeal A are the effect of the proposal on:

   - the character and appearance of the area; and

   - the movement of pedestrians.

5. The main issue in respect of Appeal B is the effect of the proposed advertisement on amenity.

Reasons

Character, appearance and visual amenity

6. The appeal site relates to a section of pavement on the western side of Wilmslow Road (A5145), within the commercial high street of Didsbury. The surrounding context predominately consists of a mix of two-storey and three-storey properties of varying ages, with commercial and retail uses at ground-floor level.

7. Street furniture in the immediate vicinity includes a lighting column and a bin which are well spaced to provide an open section of pavement. There were also several small A-board advertisements situated on the pavement, however these were sited very close to the shop fronts.

8. Further to the south of the appeal site, on the same stretch of pavement, is a cluster of street furniture items which includes a planter box, cycle hoops and a street tree. To the north, a nearby shop was storing goods for sale on the pavement and slightly beyond this was another street tree.

9. The appeal proposal seeks to install an upstanding rectangular street hub unit with advertisement panels on either side. The proposed hub would house features that provide free Wi-Fi, free UK calls, USB charging, access to emergency services and other facilities.

10. By reason of a combination of its height and width, the hub would appear as a bulky and visually prominent structure in comparison to other existing items of street furniture in the immediate vicinity.

11. Furthermore, the siting of the hub would disrupt the existing spacious gap currently provided between an existing bin and lamppost along this busy section of the pavement. Its siting would therefore not integrate well with the existing street furniture and would add street clutter to this clear and unobstructed section of pavement, to the detriment of the street scene in this location.

12. The appellant refers to the proposed removal of an existing phone kiosk at no. 743 Wilmslow Road reducing street clutter in the wider area. 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 existing kiosk in the location shown on the photographs provided within the appellant's evidence. This therefore limits the weight I can attribute to the removal of this phone kiosk in favour of the appeal proposal.

13. Being within a commercial setting I acknowledge that this area is not currently devoid of signage and advertising, with nearby shops having a variety of fascia signs, projecting signs and window adverts, as well as some A-board signs.

14. Nevertheless, these adverts were generally confined to the buildings rather than being freestanding in the footway, with the exception of the moveable A-board signs which are significantly smaller than the proposed adverts on the hub. Furthermore, digital display advertisements are not a feature of this commercial area.

15. As such, and within the context of these immediate surroundings, I find the incompatible and prominent siting of the proposed freestanding digital advertisements within the pavement, made more conspicuous by their illumination and changing images, would harm visual amenity.

16. The appellant has drawn my attention to advertisements on bus shelters elsewhere along this road. However, I do not consider the more strident and obtrusive visual impact of the freestanding appeal proposal, with rotating digital advertisements on both sides, to be comparable with the visual impact of the existing bus shelters, which have paper advertisements.

17. Reference has been made to a freestanding totem sign at a petrol station. Given the distance between the appeal site and this petrol station I found that they were not viewed within the same street scene, with the appeal site having a more traditional high street character and appearance in comparison. I do not therefore find this existing totem sign weighs in favour of the appeal scheme.

18. I am also aware of the large advertisement attached to the gable elevation of a building to the south of the appeal site. However, based on my observations on site this advert is not viewed within the same street scene as the appeal site and it is attached to a building, rather than being freestanding on the footway. It is also not a digital advertisement. Thus, this sign is not comparable with 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, 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; upgrades the appearance of major radial and orbital roads; 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 the 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.

Movement of pedestrians

21. The submitted plan shows approx. 3m would be provided on the pavement between the hub and shopfront. Whilst the majority of the pavement is finished in paving, a section close to the shop front is finished in tarmac. The evidence before me suggests that this tarmac area is unadopted and forms part of the forecourt area for the shops. As such, the Council state that once installed the hub would leave approx. 1.8m of adopted pavement available for pedestrian movements.

22. The appellant's submission does not dispute the Council's evidence in respect of the width of the adopted section of pavement that would remain once the hub has been installed. The appellant does nevertheless state that it is commonplace that private land, such as in this instance, forms part of the public footpath, whereby the landowner has a legal obligation to keep this area obstruction free and useable to

members of the public. The appellant therefore contends that the entire width of the pavement would be useable for pedestrians.

23. Whilst noting the appellant's comments on this matter, I have not been provided with any evidence to demonstrate that the unadopted sections of this pavement must be kept clear of any obstruction to allow public access in perpetuity and during my visit I observed these areas were being used to store A-board signs. Furthermore, there is nothing before me to demonstrate that any existing use of the unadopted sections of the footway by pedestrians is anything more than an informal arrangement which could cease, resulting in pedestrians being restricted to moving on the adopted section of the pavement only in the future.

24. As such, based on the evidence that is before me, I cannot but conclude that the available space for pedestrians on the public section of the pavement would measure approximately 1.8m in width once the proposed hub has been installed.

25. Both the Council's Highway Service and Transport for Greater Manchester (TFGM) have stated that a 2m wide footway would need to be retained to ensure pedestrian movements are unimpeded. In this regard I note that reference has been made to conflict with Chapter 3 of the Design for Access 2 (2003), however I have not been provided with a copy of this document or any information in relation to its adopted status. In the absence of this information, I attribute this document limited weight in my determination of this appeal.

26. My attention has however also been drawn to the inclusive mobility guidance document[1] (IMGD) which is a material consideration. Paragraph 4.2 of this guidance document relates to the width of footways and footpaths. It states that under normal circumstances a width of 2m is the minimum that should be provided to allow two wheelchair users to pass. If this is not feasible due to physical constraints it advises that a minimum width of 1.5m could be regarded as the minimum acceptable, before stating that where there is an obstacle, such as a lamp post or signpost, the absolute minimum width should be 1m, but the maximum length of such a restriction should be 6m.

27. As detailed, from the evidence before me, the proposal would result in an adopted pavement width of approx. 1.8m adjacent to the proposed hub. This therefore falls below the 2m guidance contained within the IMGD. I note that this width would exceed the other minimum footway widths detailed within the IMGD and the narrow depth of the proposed installation means the restricted footway width would be for a very short length.

28. Nevertheless, this guidance document states that footpaths should be as wide as possible and it is therefore a matter of planning judgement as to whether, in this case and location, a footpath width of 1.8m is acceptable.

29. During my visit, around lunchtime on a weekday, I observed a large number of people walking directly past the appeal site in both directions, as well as entering and leaving nearby shops. People were walking with personal shopping trolleys, shopping bags and pushchairs, and often in groups whilst engaged in conversation. I also noted people frequently stopping on the pavement in front of the adjacent jewellery shop and estate agents to view items displayed within their

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

shop windows. I therefore found this section of the pavement within the high street to be busy and congested.

30. From my observations, should the useable space for footway users be reduced to 1.8m, it is likely that people travelling in opposite directions would have to pause, give way or wait in order to pass the hub. This would be particularly more difficult when people are traveling in groups; stopping to observe items in the adjacent shop windows; for pedestrians with trolleys, buggies and/or a disability; or those carrying shopping bags.

31. As such, based on my observations on site, I find that the provision of a section of adopted footway measuring 1.8m wide, regardless of how short this section would be, would negatively impact upon the pedestrian environment along this busy and congested section of pavement.

32. The proposal would therefore have an obstructive effect on this part of the footway and would diminish the existing movement function of the public realm. Consequently, the proposal would not allow for the convenient passage of all potential users and would undermine the function of this part of the footway as an important pedestrian route within this busy commercial context.

33. In reaching this view I am aware of other items of existing street furniture on the wider stretch of pavement. However, I have not been provided with the details as to the width of the useable areas of pavement adjacent to these other items to draw any direct comparison with the appeal proposal.

34. Nevertheless, even in the scenario whereby other areas of pavement have been narrowed by existing items on the street, this does not mean that any further narrowing or obstruction of pedestrian movements caused by the appeal proposal, resulting in a worsening of the pedestrian experience, is acceptable or justified.

35. I therefore conclude that the siting of the proposed hub would have a harmful impact upon the pedestrian environment and pedestrian movements along this busy section of pavement. The proposal therefore conflicts with CS Policies T1, SP1 and DM1, where they together seek to ensure, amongst other things, that development is appropriately sited; considers the needs of all members of the community; and improves pedestrian routes and the pedestrian environment.

36. The proposal would also fail to adhere to the principle of achieving ease of movement as detailed within the SPD, which requires street furniture to be positioned to avoid obstacles, and be contrary to the provisions of the Framework where it seeks to ensure suitable access for all users.

Other Matters

37. 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.

38. 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.

39. Both parties have drawn my attention to a number of allowed and dismissed appeal decisions[2] for hubs and associated advertisements throughout the country. The appellant has also drawn my attention to decisions[3] of the Council whereby hubs with advertisements have been granted consent in commercial areas which the appellant considers to be similar in character to the appeal site.

40. 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.

41. In this regard, I have been provided with limited information in respect of these decisions that would enable me to draw any direct comparisons with the specifics of the appeal site and scheme before me. These appeal decisions, and decisions of the Council, therefore carry limited weight in my determination of this appeal.

42. Interested parties have also raised concerns relating to the impact of the proposal on highway safety. However, the Council has not suggested the proposal would affect public safety and given the distance of the proposal from any nearby traffic signals, I see no reason to disagree. I therefore find the proposal would not have a harmful impact upon public or highway safety.

Planning Balance

43. 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.

44. 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.

45. 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.

46. 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 movements.

[2] 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/22/3305075; & APP/Z3636/W/25/3361981.
[3] Council Ref: 136215/FO/23 and 136213/FO/2023

47. 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 amenity.

Conclusion

48. 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 amenity by way of negatively impacting upon pedestrian movements.

49. 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 amenity.

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

R Major

INSPECTOR