



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 November 2025

Appeal A Ref: APP/B4215/W/25/3369455

Footpath outside 346 Palatine Road, Northenden, Wythenshawe, Manchester M22 4HD

- 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 142701/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/25/3369456

Footpath outside 346 Palatine Road, Northenden, Wythenshawe, Manchester M22 4HD

- 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 142702/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 issue in respect of Appeal A is the effect of the proposal on the character and appearance of the area.
6. The main issue in respect of Appeal B is the effect of the proposed advertisement on visual amenity.

Reasons

7. The appeal site is located within the Northenden District Centre, specifically a central section of footway flanked on one side (east) by the main highway of Palatine Road (B5167) and on the other side by a one-way service road in front of a row of three-storey terrace properties with commercial uses at ground floor.
8. The submitted plans show that this central section of footway currently consists of various items of street furniture adjacent to the appeal site, including a street tree, cycle racks, box planters, a bin, a bench and a bollard. In addition, whilst on site I observed further items of furniture within the vicinity of the appeal site, such as additional bollards, a raised concrete platform that could be used for sitting and a larger box planter than that shown on the submitted plans.
9. In my judgement, and based on my observations on site, these existing items collectively contribute to a cluttered environment along this section of pavement, with the balance between the proliferation of items on the footway and a clear and welcoming area for pedestrians delicately posed. Furthermore, and whilst not on the pavement, the adjacent parked cars on the service road also add to visual clutter within the vicinity of the appeal site.
10. Notwithstanding the above however, I nevertheless found the existing items of furniture on this central section of the footway were either low in height, such as the bike racks, box planters, bin, bench and bollards, or tall and slim, such as the lighting columns. These existing items therefore allowed long, eye level, views up and down Palatine Road. These views are a defining and positive characteristic of this commercial area.
11. In coming to this judgement, I acknowledge there are street trees on this central pavement. However, at eye level these trees consist of relatively slim trunks and do not therefore obscure the attractive views up and down the street. To the contrary, I found these trees contributed positively to the views and the street scene in general.
12. The appeal proposal seeks to erect a street hub unit with advertisement panels on either side on the central section of footway. 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.
13. By reason of a combination of its height and width, the proposed hub would appear as a bulky and overbearing feature in comparison to the other existing surrounding features within this central section of pavement. Its size and solid appearance from top to bottom would also disrupt and obscure the views currently afforded along this section of Palatine Road, causing harm to the visual amenity of the area.
14. Additionally, as mentioned, the existing items of street furniture, as well as parked cars on the service road, already create a cluttered environment along this section of the footway and the appeal proposal would therefore only add further visual clutter to the public realm, to the detriment of the street scene.
15. In coming to this view, I acknowledge the proposal includes the removal of an existing payphone kiosk from the pavement in front of the shops, as well as an

existing kiosk further to the south. The removal of the existing kiosks would reduce some street clutter in those locations.

16. Nevertheless, these kiosks are both located on a different section of pavement, and I did not find their locations to be as visually cluttered as the pavement where the proposed hub would be located. As such, the removal of these kiosks does not justify the harm arising from the additional visual clutter that would be created at the appeal site. Furthermore, I also find the siting of the proposed hub, on the central section of footway, would be more visually prominent and exposed within the street scene than these existing kiosks which are both currently sited on the pavement closer to the buildings.
17. Moreover, the proposed hub would be made more conspicuous by its illumination and changing images, resulting in it being a visually more incongruous and strident feature than the existing kiosks identified for removal. As such, the removal of these kiosks is not a matter which outweighs the harms I have identified that arise from the proposal.
18. Given the commercial character of the area I acknowledge there are a variety of advertisements in the locality, including non-illuminated and illuminated signs on the surrounding ground floor premises. However, these were generally affixed to the buildings, and the A-boards signs I observed on the footway in front of the shops were much smaller and less prominent than the proposal.
19. My attention has been drawn to a totem sign at the petrol station to the north. This however was not visible from the appeal site and is beyond a terrace row of predominantly residential properties. The location of this petrol filling station, and totem sign, does not therefore share the same characteristics as the appeal site which, for the reasons given above, has a more cluttered appearance due to the existence of existing street furniture. Additionally, this totem sign is located on the petrol forecourt and not on the footway. I therefore do not find it to be comparable with the proposal in terms of its contribution to street clutter.
20. The appellant has referred to bus shelters on Palatine Road as nearby features which they assert display similar forms of development to the appeal proposal. 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.
21. 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.
22. The proposal would also fail to accord with the relevant provisions of the National Planning Policy Framework (the Framework), which have similar aims.

Other Matters

23. The Council's reason for refusal on the decision notice in respect of the planning permission for the proposed hub 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.
24. 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 issue raised in this appeal.
25. The appellant states that the removal of the existing hubs from the pavement adjacent to the shops, to be replaced by the proposed hub on the central section of pavement, would improve pedestrian access. I have not however been provided with any evidence that the existing kiosks currently cause pedestrian access issues.
26. In any case, even if I was to accept this argument, it does not overcome the visual harms I have identified that would arise from the siting of the hub in the proposed location. Furthermore, it has not been demonstrated the appeal site is the only location for the proposed hub following the removal of these existing kiosks. This therefore limits the weight I give to this matter in favour of the appeal proposal.
27. Interested parties have raised concerns relating to the impact of the proposal on pedestrian and highway safety. However, the Council, including the Highway Service, has not suggested the proposal would affect public safety and given the evidence before me, as well as my observations on site, I see no reason to disagree. I therefore find the proposal would not have a harmful impact upon public or highway safety.
28. Both parties have drawn my attention to a number of allowed and dismissed appeal decisions¹ for hubs and associated advertisements throughout the country. The appellant has also drawn my attention to decisions² 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.
29. 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.
30. 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.

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

² Council Ref: 136215/FO/23 and 136213/FO/2023

Planning Balance

31. 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.
32. 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.
33. 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.
34. 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.
35. 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

36. I conclude that the appeal proposal would have a harmful impact upon the character, appearance and visual amenity of the area. 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