Planning Inspectorate

Appeal Decisions

Site visit made on 8 April 2026

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th May 2026

Appeal A Ref: 6003968
Oxford Street, Outside No.15, Manchester M1 5AE

- 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 Ms Verity Cheyne on behalf of BT Communications PLC against the decision of the Manchester City Council.
- The application Ref is 144122/FO/2025
- The development proposed is the removal of an existing InLink Unit, and the deployment of a replacement Street Hub 3 unit.

Appeal B Ref: 6003963
Oxford Street, Outside No.15, Manchester M1 5AE

- 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 Ms Verity Cheyne on behalf of BT Communications PLC against the decision of the Manchester City Council.
- The application Ref is 144198/AOH/2025
- The advertisement proposed is 2no internally illuminated digital display screens.

Decision

1. Appeal A is allowed and planning permission is granted for the removal of an existing InLink Unit, and the deployment of a replacement Street Hub 3 unit at Oxford Street, Outside No.15, Manchester M1 5AE in accordance with the terms of the application, Ref 144122/FO/2025, subject to the conditions in the attached schedule.

2. Appeal B is allowed and express consent is granted for the display of 2no internally illuminated digital display screens at Oxford Street, Outside No.15, Manchester M1 5AE in accordance with the terms of the application, Ref 144198/AOH/2025. The consent is for ten years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the conditions in the attached schedule.

Preliminary Matters

3. The description of development for both appeals as set out on the application forms is described as ‘not applicable’. The Council’s description of development as set out in the respective decision notices accurately describe each proposal; these descriptions have also been used by the appellant on the submitted appeal forms. I have therefore considered the appeal on this basis and used the description taken from the Council’s decision notice in the banner heading above.

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. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in terms of amenity and public safety. Whilst the reason for refusal for Appeal B refers to policies contained within the Hammersmith and Fulham Local Plan, adopted 2018 (the HFLP), they are material considerations rather than being decisive in the determination of this appeal.

6. The appeal site is located within the vicinity of listed buildings. As a result, in reaching my decision on Appeal A, I have had special regard to Sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

7. In respect of Appeal A, the main issues are the effect of the proposed development:

   - on the character and appearance of the area with particular regard to the setting of nearby listed buildings; and
   - on highway safety, with particular regard to pedestrian movement.

8. For Appeal B, the main issues are the effect of the proposed advertisement on amenity and public safety.

Reasons

9. The appeal site comprises an area of pavement to the front of 15 Oxford Street (No 15), occupied by an existing InLink unit. The unit provides a range of digital services, including free public Wi-Fi, free UK calls, USB charging, and access to emergency services. It also incorporates two digital display screens, one on each side, which show advertisements at intervals.

10. This section of pavement in front of the building is paved and accommodates other examples of street furniture, including, a bin, another totem style unit with digital advertising screens and a lamppost. There is a further advertising screen located on the opposite side of the road.

11. The appeal site lies adjacent to the Princes Buildings, 18, 20, 24-28, Oxford Road[1], a Grade II Listed Building. The significance of the listed building lies primarily in its architectural and historical interest as an example of a 1903 façade, which comprises a pale buff brick with dressings of matching terracotta in an Art Nouveau style. The facade is dominated by an exuberant attic which has 5 bays of windows with semi-circular sunk parapets and 8 tall chimneys. The rest of the building was largely re-built in the late 20th century but retained the decorative façade.

12. The site is not within a conservation area but lies in close proximity to the George Street and St Peter's Square Conservation Areas. From the appeal site, there are distant views of the Grade II* Listed Central Library[2] at St Peter's Square. The Central Library is a distinctive, circular building dating from the 1930s and designed in a classical style.

[1] List Entry Number: 1246285
[2] List Entry Number: 1270759

13. The Council has also identified non-designated heritage assets surrounding the site including Peter House on Oxford Street and 36-38 Oxford Street at the corner of Chepstow Street and Oxford Street.

14. The proposal seeks planning permission and advertisement consent for the replacement of the existing In Link Unit with a BT Street Hub 3. The replacement unit would be slightly larger than the existing unit, extending the footprint by approximately 347mm in width and 71mm in depth. It would also be 90mm taller than the existing unit. The proposal would also incorporate a larger advertisement screen measuring approximately, 0.95m by 1.67m. The unit would be finished in a black powder coated cladding.

15. In terms of its design and appearance, the existing unit is predominantly silver and black, whereas the replacement would be black and incorporate a larger digital screen. However, it would be seen alongside surrounding street furniture, including bins, streetlights and signage, which are largely black in colour. It would be of a similar scale and appearance to the nearby totem-style units. The area also contains a high degree of visual variety, including a number of modern, high-rise, office buildings, which sit on the opposite side of the road to the appeal site. In this context, whilst the proposal would appear as a modern addition, it would not cause unacceptable harm to the character or appearance of the area.

16. In terms of its siting, the replacement hub would be wider by approximately 346mm but would be located in a broadly similar position within the footpath. It would also be marginally taller. However, whilst being larger than the existing unit, it would not lead to a net increase in the presence of these types of units.

17. I acknowledge that when planning permission and advertisement consent was granted for the existing unit, there were associated benefits comprising of the removal of a telephone kiosk, and as a result a positive contribution to the reduction in street clutter. These benefits would not apply to this current proposal. Nonetheless, in terms of its siting, the replacement hub would be located in a broadly similar position within the footpath. Whilst being marginally larger than the existing unit, it would not harmfully increase visual clutter in this location. Furthermore, the proposed increase in height would be experienced alongside the tall buildings which surround the appeal site. As a result, it would not appear unduly prominent in this context.

18. In terms of the proposed advertisement, each display screen would measure approximately 950mm by 1670mm, which is larger than the existing screens which measure approximately 689mm by 1215mm. The luminance would also be increased from 326 cd/m² to a maximum of 600 cd/m² during hours of darkness. I acknowledge that this represents an increase in both scale and brightness. However, the appeal site is located within a busy commercial environment characterised by a high level of existing artificial illumination, including street lighting, illuminated signage, and digital advertising displays of a similar scale. In this context, the proposed luminance level would not appear unusually bright or visually intrusive when experienced against the prevailing ambient lighting conditions. The proposed display would be viewed primarily within the public realm, where a degree of illumination is typical and expected.

19. Notwithstanding this, I am satisfied that the effect of the illumination could be appropriately controlled through the imposition of suitably worded conditions,

including limits on maximum luminance, automatic dimming in response to ambient light levels. Subject to such controls, the proposed advertisement would not result in unacceptable harm to visual amenity.

20. In respect of the consistent rotation of static images, this is a feature of the existing unit. Whilst the proposal would utilise a larger digital display area, it would not be significantly larger or obtrusive and as a result, would not lead to a harmful effect on visual amenity. Furthermore, there would be no net increase in the number of advertisements present in this location. Therefore, I find that the marginal increase in size would not result in a harmful intensification of advertisements or contribute in a detrimental way to the proliferation advert clutter in this location. For these reasons, I find that it would not be harmful to the character, appearance and visual amenity of the area.

21. With regard to the setting of nearby listed building known as the Princes Buildings, I acknowledge that the proposal would represent a modern intervention within its setting. However, it would replace a similarly modern structure. It is also not the only type of unit located along this part of Oxford Street. Whilst its appearance and digital display would contrast with traditional architectural detailing of the listed building's facade, the site sits within a busy, commercial and visually varied environment. Therefore, whilst the proposal would be within the setting of the listed building, taking into account the existing unit's relationship to this building and surrounding modern features which are also located within its setting, I find that the proposal would have no discernible impact on its setting, and thus would preserve its significance.

22. The Grade I Listed Central Library is a prominent feature in views from Oxford Street and the appeal site but is located some distance away. As a result, views of the appeal site either towards the listed building or away from it take in a range of built features, including other street furniture, modern high-rise buildings and road and tram infrastructure. Therefore, whilst the appeal site would be considered to be within the wider setting of this listed building, given the distance, and the varied character and appearance of the surrounding area, I find that the proposal would not cause harm to the appreciation of this building. Consequently, is setting and significance would be preserved.

23. In relation to the setting of the nearby CAs, I accept that the proposed hub would introduce replacement unit which is larger than the existing unit. However, given its context within this busy commercial setting, with other advertisements and examples of street furniture commonly found within the surrounding area, it would not appear as a obtrusive, incongruous or overly dominant addition. Furthermore, it would not be significantly larger than the existing hub so as to result in any notable additional street clutter. For these reasons, I find that its siting, scale, design, appearance, and means of illumination would not cause harm to the character and appearance of the area. Accordingly, I find that the setting and significance of the nearby CAs would be preserved.

24. As no harm to the significance of designated heritage assets has been identified, there is no requirement to undertake a balancing exercise in respect of public benefits, required by the National Planning Policy Framework (the Framework).

25. My attention has been drawn to a number of appeal decisions[3] within the same local authority area. Whilst I don't have full details of the appeal schemes before me, they would appear to differ from the current appeal proposal on the basis that they relate to the installation of a new street hub unit, rather than a replacement of an existing unit. Therefore, I find that they are not directly comparable to this appeal proposal and I attribute them limited weight.

26. For the reasons given above, in respect of Appeal A I conclude that the proposal would not cause unacceptable harm the character and appearance of the area, with particular regard to the setting of nearby listed buildings. Therefore, I find no conflict with Policies SP1, CC9, EN1, EN3 and DM1 of Manchester's Local Development Framework Core Strategy Development Plan Document, adopted 2012 and amended 2024 (the CS), Saved Policy DC19 of the Unitary Development Plan for the City of Manchester, adopted 1995 (the UDP) and Policies JP-P1, JP-P2 and JP-C5 of the Places for Everyone Joint Development Plan, adopted 2024 (the PfE Plan). Together, the policies 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; and preserves heritage assets, the historic environment and the setting of listed buildings.

27. In relation to Appeal B, I conclude that the proposal would not harm the visual amenity of the area. In accordance with the relevant Regulations, I have considered the provisions of the development plan to the extent that they are applicable. The aforementioned policies are therefore material considerations in this context. In addition, I have had regard to Policy DC15 of the UDP which requires amongst other things, proposals to take account of the general location and the effect on visual amenity. The proposal would not have a harmful impact on visual amenity and would meet therefore meet with the objectives of the above policies.

28. The proposal also accords with the Framework, which seeks to ensure that the quality and character of places does not suffer from advertisements that are poorly sited and designed; and that heritage assets (including their settings) are conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Highway, Pedestrian and Public Safety

29. Paragraph 117 of the Framework states that development should create places that are safe, secure and attractive, which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

30. The Council has referred me to the City Centre Transport Strategy to 2040 which seeks to encourage journeys by foot, cycle or public transport, including by improving streets to improve the movement of people and goods. My attention has also been drawn to the Greater Manchester Streets for All Design Guide sets minimum standards for footways.

31. The appeal site is located on an area of pavement which measures approximately 3.8 metres wide. Due to its proximity to the city centre, universities and transport connections, I acknowledge that it is a busy pedestrian environment.

[3] Appeal Refs: APP/B4215/W/25/3369446; APP/B4215/W/25/3369503; APP/B4215/W/25/3369504

32. The proposal would involve the footprint of the unit being increased by approximately 346mm in width and 71mm in depth. This would result in a retained pavement width of 2.1 metres between the unit and the adjacent building. Whilst the proposed replacement unit would be larger than the existing unit, it would be located in line with other existing items of street furniture and as a result would not harmfully obstruct pedestrian desire lines. As such, I am satisfied that the proposal would not hinder pedestrian movement along this part of the pavement, such that it would amount to an unacceptable inconvenience. The footpath width retained would not be materially different to that which currently exists, and the increased footprint would not create a harmful obstruction, such that it would create a barrier to pedestrian movement and inclusive accessibility.

33. The appeal site is located centrally within this stretch of footpath that lies between, Hall Street and Chepstow Street. The closest controlled pedestrian crossing point is located at the junction of Chepstow Street and Portland Street, away from the appeal site. The other nearby totem unit is sited in closer proximity to the crossing, and approximately 10 metres away from the appeal site. There are no formal crossing points adjacent to the appeal site. Therefore, notwithstanding that this is a busy pedestrian area, there is no substantive evidence to demonstrate that the marginal increase in footprint of the proposed unit would result in localised pedestrian congestion, nor that it would interfere with sightlines for pedestrians waiting to cross the street.

34. I have had regard to the guidance in Streets for All, which supports the Council's strategy to reduce street clutter and to rationalise street furniture to promotive active, inclusive and safe travel, particularly walking. I have also had regard to the Council's comments that the minimum footpath width should not be applied to key/principal pedestrian routes such as this. However, I have not been presented with any substantive evidence to demonstrate that the small decrease in footpath width would likely to cause harm to the free flow or safety of pedestrians in this location. There is a large gap between the appeal site and other street furniture, namely the other totem unit, such that any narrowing of the footpath would be minimal and only be experienced for a very short time.

35. For the reasons given above, in respect of Appeal A I conclude that the proposal would not harm highway safety, with particular regard to pedestrian movement. Therefore, I find no conflict with Policies SP1, CC5, T1 and DM1 of the CS, Saved Policy DC22 of the UDP and Policies JP-P1 and JP-C4 of the PfE Plan. Together, these policies seek to ensure, amongst other things, that development is safe and easy to move around; has regard to road and community safety; and would not be injurious to public safety.

36. In relation to Appeal B, I conclude that the proposal would not harm public safety. In accordance with the relevant Regulations, I have considered the provisions of the development plan to the extent that they are applicable. The proposal would not have a harmful impact on public safety and would meet therefore meet with the objectives of the above policies.

Other Matters

37. In addition to the matters addressed under my main issues, I have also taken into account further concerns raised by interested parties. In respect of potential health implications arising from telecommunications apparatus and its adherence to the

guidelines set by the International Commission on Non-Ionizing Radiation Protection (ICNIRP), no sufficiently authoritative evidence has been provided to indicate that the ICNIRP guidelines would not be complied with or that a departure from national policy is justified. Furthermore, there is no substantive evidence to indicate illumination of the displays would cause eye damage or that the hub would unacceptably affect human health through increased use of phones or screens.

38. Concerns have also been raised about the possible effects of the proposal on vulnerable groups, including children, older people, and those with long-term health conditions or disabilities, such as individuals who are visually impaired or sensitive to light. In considering these matters, I have taken into account the Public Sector Equality Duty (PSED) under Section 149 of the Equality Act 2010. This duty requires public authorities to eliminate unlawful discrimination, harassment, and victimisation; to promote equality of opportunity; and to encourage positive relations between those with protected characteristics and those without. Protected characteristics include age and disability.

39. In my assessment, I have had full regard to the PSED and to the needs of all users of the highway. I conclude that the scale and positioning of the hub and its associated advertisements would not result in a disproportionate impact on persons with protected characteristics. Furthermore, although additional concerns have been expressed regarding potential health effects, there is no specific evidence before me relating to this scheme or its location that substantiates those concerns. On that basis, the PSED does not lead me to find that the appeals should be dismissed on these grounds.

40. Third party concerns have also been raised about the cost and type of advertisements that the proposal might support, for example fast-food adverts. However, I have not been directed to any planning policy which seeks to control the content of such advertisements.

41. I also acknowledge the concerns raised relating to climate change, sustainability, and biodiversity. However, no compelling evidence has been submitted to demonstrate harm in these areas, and I am therefore not persuaded to reach an alternative conclusion. Issues concerning the operation of CCTV, environmental sensors, public Wi Fi, and the associated implications for data protection are governed by separate legislative regimes. Accordingly, they are not matters that carry determinative weight in the consideration of these appeals.

42. The necessity for hub units of this nature has been questioned, particularly in light of the widespread availability and increasing use of mobile phones. However, it is noted that neither local nor national planning policies require an appellant to demonstrate a specific need for the proposed development. Similarly, there is no policy requirement at either the local or national level for operators to evidence that alternative options have been explored or discounted.

43. I have also had regard to the concerns which have been raised by a local Councillor regarding the potential impacts on safety, including the perception of crime. However, there is no substantive, site-specific evidence before me to indicate that the proposal would give rise to increased crime or anti-social behaviour.

44. Consequently, these concerns do not outweigh my findings in relation to the main issues of this appeal.

Conditions

45. In respect of Appeal A, the Council have suggested a number of conditions which I have considered against the advice in the Framework and Planning Practice Guidance.

46. In addition to the standard time limit condition, I have included a condition specifying the approved plans, which is necessary in the interests of certainty. A further condition requiring the proposed development to be built and maintained thereafter in accordance with the submitted Noise Management Plan, Anti-Social Behaviour Management Plan and Street Hubs Beyond Connection Street Hubs. This condition is necessary to safeguard the character and appearance of the area and to ensure there are no adverse impacts on amenity.

47. In respect of Appeal B, all advertisements granted express consent are subject to the five standard conditions set out in the Regulations. In addition to these, I have imposed a condition to control the level of illumination, to ensure there is no moving imagery and to set a minimum display time of 10 seconds, also ensuring that the interval between successive image displays is instantaneous. These additional conditions are necessary in the interest of amenity and public safety.

48. The Council also suggested conditions to be attached to Appeal B with respect to any advertisement being maintained in a condition that does not impair the visual amenity of the site, and that any advertisement hoarding or structure is to be kept in a condition which does not endanger the public. These suggested conditions however reflect some of the five standard conditions set out in the Regulations, which are automatically imposed, and therefore do not need to be repeated.

49. In respect of both appeals, the Council suggested a condition should be imposed on any grant of planning permission and advertisement consent to limit the approval to a temporary period of 12 months. However, the appellant states that they are seeking approval for the display of the advertisement for a period of ten years.

50. In respect of Appeal A, having regard to the evidence before me, including my above assessment of any harm arising from the proposal., there is limited evidence before me that circumstances are very likely to change in a particular way at the end of the 12-month permission period or, even if they did, that the communication hub would be very likely to result in any harm. Therefore, I find that such a condition would not be necessary and I have not imposed this condition.

51. For Appeal B, under Regulation 14(7), advertisement consent is granted for a period of 5 years unless otherwise specified. The appellant has sought a 10-year period. As there is no substantive evidence before me that the display would be unacceptable at the end of the shorter period, I have granted consent for the 10-year period in my formal decision.

52. Finally, I note within their consultation response Transport for Greater Manchester requested a Construction Management Plan (CMP) be employed. However, given the limited scale of the proposed development, I find that a condition requiring the submission of a CMP would not be reasonably necessary to make this development acceptable. Consequently, this suggested condition has not been imposed.

Conclusion

53. For the reasons given, in respect of Appeal A I conclude that the proposed development would accord with the development plan taken as a whole and that there are no material considerations of sufficient weight to indicate that a decision should be taken otherwise in accordance with it. Therefore, Appeal A is allowed.

54. In respect of Appeal B, the proposed advertisement would not be harmful to amenity or public safety. Therefore, for the reasons given, the appeal is allowed.

K Lancaster

INSPECTOR

Schedule of Conditions: Appeal A

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

2) The development hereby approved shall be carried out in accordance with the following approved plans:

    - 25004468_LOC_S1_1.1 - Location Plan
    - 25004468_PLN_SI_2.1 - Proposed Site Plan
    - 25004468_PLN_EL_3.1 - Elevation Plan

3) The development hereby approved shall be installed and maintained at all times thereafter in accordance with the details specified within the documents titled:

    - Street Hubs Beyond Connection Street Hubs v2.1 (Dated February 2025)
    - Anti-Social Behaviour Management Plan Version 3
    - Street Hubs Noise Management Plan v2.1 (Dated February 2025)

Schedule of Conditions: Appeal B

In addition to the five standard conditions in the Regulations:

1) In daylight hours, the intensity of the illuminance of the advertisements shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than 2500cd/m² to accord with the guidance set out in the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (2023) (or its equivalent in a replacement guide).

2) In the hours of darkness (between dusk and dawn), the intensity of the illuminance of the advertisements shall be no greater than 600cd/m² to accord with the guidance set out in the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (2023) (or its equivalent in a replacement guide).

3) The digital display screens shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).

4) The minimum display time for each piece of content on the digital display screens shall be 10 seconds. The interval between successive displays shall be instantaneous and the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays, and the display will include a mechanism to switch to a blank screen with a black background in the event of a malfunction.

END OF SCHEDULE

Appendix 1 - List of those who have appealed

Reference	Case Reference	Appellant
Appeal A	6003968	Ms Verity Cheyne on behalf of BT Telecommunications PLC
Appeal B	6003963	Ms Verity Cheyne on behalf of BT Telecommunications PLC