



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: 6003994

Exchange Street, Outside 8-10, Manchester M2 7EF

- 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 Verity Cheyne on behalf of BT Communications PLC against the decision of the Manchester City Council.
- The application Ref is 144118/FO/2025
- The development proposed is the removal of an existing In Link Unit and the deployment of a replacement Street Hub 3 unit.

Appeal B Ref: 6003990

Exchange Street, Outside 8-10, Manchester M2 7EF

- 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 Verity Cheyne on behalf of BT Communications PLC against the decision of the Manchester City Council.
- The application Ref is 144201/AOH/2025
- The advertisement proposed is the installation of 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 Exchange Street, Outside 8-10, Manchester M2 7EF in accordance with the terms of the application, Ref 144118/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 Exchange Street, Outside 8-10, Manchester M2 7EF in accordance with the terms of the application, Ref 144201/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 *“the removal of an existing InLink Unit, and the deployment of a replacement Street Hub 3 unit”*. The Council’s description of development as set out in the respective decision notices accurately describe each proposal. 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. The appeals relate to the same site and the same proposed development, namely a multifunctional communications hub which, amongst other things, would have an illuminated digital advertisement display. To avoid unnecessary repetition, both

appeals have been dealt with in a single decision letter, but the appeals themselves have been considered based upon their own merits.

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 that the Council considers to be relevant, they are material considerations rather than being decisive in the determination of this appeal.
6. The appeal site is located within a conservation area, and listed buildings are located within the site's vicinity. As a result, in reaching my decision on Appeal A, I have had special regard to Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and, in relation to Appeal B, to Section 72(1) only.

Main Issues

7. The main issue for Appeal A is the effect of the proposed development on the character and appearance of the area, with particular regard to whether it would preserve or enhance the character or appearance of the CA and the setting of nearby listed buildings.
8. For Appeal B, the main issue is the effect of the proposed advertisement on amenity.

Reasons

9. The appeal site comprises an area of pavement to the front of 8-10 Exchange Street. It is currently occupied by an existing InLink Unit¹, which provides a range of digital services including free public WiFi, free UK calls, USB charging and access to emergency services. In addition, it contains two display screens one on each side, which display advertisements at regular intervals. The existing unit is centrally located between two mature trees.
10. The area has undergone extensive regeneration works, with St Anns Square being a pedestrianised area of public realm, which has the Grade I Listed Church of St Ann at its southern end. There are also a number of listed buildings within the vicinity of the appeal site including, the Royal Exchange, Boer War Memorial and Cobden Statue
11. Exchange Street and St Ann's Square is a busy commercial area, located with the Primary Shopping Area. The area of pavement in which the appeal site is located forms part of a wide section of footpath that contains a number of items of street furniture including waste bins, cycle racks, and other totem style units. It is a wide pedestrianised area which experiences high level as of footfall and is an area used for temporary events, for example Christmas Markets.
12. The appeal site lies within the St Ann's Square Conservation Area (the CA). St. Ann's Square was laid out in the Georgian period, early in the 18th century, and is one of the main spaces in the city centre. The church, which dominates the southern end of the Square is the only surviving building of that time in the area, the remainder being later replacements which continue to enclose the Square in a

¹¹ Planning Application Refs: 118645/FO/2017 and 118466/AOH/2017

satisfactory and coherent manner. As these buildings were constructed in various styles over a long period, they create a rich tapestry of built form. The area contains a wealth of buildings of architectural quality, the majority of them being Victorian with some Edwardian and a few of more recent origin. Its significance is derived from its architectural and historical interest.

13. The Royal Exchange² is a Grade II Listed Building. It is a former commercial exchange, now in use as shops and a theatre. The building was rebuilt and enlarged (for the fourth time on this site) in 1914-21, by Bradshaw, Gass and Hope. It is constructed of Darley Stone, with a slate roof with three glazed domes. It is a large imposing building, which dominates this part of Exchange Street.
14. The Boer War Memorial³ was constructed in 1907, by Hamo Thornycroft. It comprises of a Marble plinth and bronze-clad pedestal with marble cornice; bronze sculptural group. It has a square base, with a slightly tapered square pedestal containing bronze plaques recording the names of the fallen, prominent cornice; sculptural group depicting a bare-headed rifleman protecting a wounded comrade.
15. Further away from the appeal site, at the far end of St Ann's Square is The Church of St. Ann⁴, a Grade I Listed Building. It is constructed in red sandstone, has two tiers of round-headed windows, a semi-circular apse to the east and a square tower to the west. It is one of only fifteen buildings in the City listed as Grade I, and because of its position at the south end of the Square it is the most prominent building in the conservation area.
16. 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.
17. The Council states that the proposed Street Hub totem would not represent a like-for-like replacement within the street scene, having a more dominant visual presence than the existing InLink model. However, whilst I accept that the replacement unit would be larger than the existing unit and would be darker in colour, this would not be at odds with the prevailing character of the area, which includes a large number of dark coloured items of street furniture, including other totem units. It would also be of a similar scale and appearance to the nearby units. Therefore, whilst I accept that there would be a greater contrast to the light-coloured paving, based on the presence of other dark coloured street furniture in this location, I am not persuaded that this would be harmful to the character and appearance or visual amenity of the area.
18. 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 appear unduly prominent in this context and as a result would not detract from the quality of the public realm or make this busy pedestrian route a

² List Entry Number: 1200826

³ List Entry Number: 1254462

⁴ List Entry Number: 1247612

less pleasing place to walk. Furthermore, the site is located in between tall, mature trees, and alongside tall buildings. Therefore, by virtue of its siting and marginal increase in footprint, I find that it would not increase the impression of street clutter in this location and would not cause harm to the quality of the pedestrian experience. Consequently, I find that the proposed development would not cause unacceptable harm to the character and appearance of the area.

19. I accept that the proposal would not make a meaningful contribution towards the Council's Strategy to reduce clutter, nor would it provide similar benefits to the previously approved unit in that it would not involve the removal of any existing street furniture. However, it would be a replacement, albeit of a marginally larger unit and it would not result in a net increase in these types of units, nor to the over-proliferation of totem structures. Therefore, by virtue of its siting and marginal increase in footprint, I find that it would not increase the impression of street clutter in this location and would not cause harm to the quality of the pedestrian experience. Therefore, I find that the proposed development would not cause unacceptable harm to the character and appearance of the area.
20. 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.
21. 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.
22. 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.
23. I accept that the proposal would not make a meaningful contribution towards the Council's Strategy to reduce advertisement clutter. However, it would be a replacement of an existing advertisement, albeit of a marginally larger size. Therefore, I find that it would not result in the over-proliferation of advertisements in this location.

24. In relation to nearby listed buildings, the proposal would not be prominently sited within the setting of these buildings. The proposal would be viewed alongside other street infrastructure, which is located in the immediate surrounding area, including the other similar totem style units. It would also be located between two mature street trees. Whilst I accept that it is of a modern, minimalist design which contrasts with the more ornate features of the nearby listed buildings, taking into consideration the wider context of the appeal site and presence of other modern features within this part of Exchange Street, it would not be at odds with the prevailing character of the area.
25. Furthermore, in this context and having regard to the presence of the existing unit and other nearby units, it would not introduce an obtrusive modern element and would not appear conspicuously dark and blocky. Therefore, whilst the proposal would be located within the setting of the listed buildings, I conclude that it would have a neutral effect and thus, would not cause harm to their significance or setting.
26. In relation to the CA, I accept that the proposed hub would introduce a larger unit. However, given its context within this busy commercial setting, with numerous advertisements and other examples of street furniture, I find that it would not appear as a obtrusive, incongruous or overly dominant addition. 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 CA would be preserved.
27. 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).
28. My attention has been drawn to a number of appeal decisions⁵ 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.
29. 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 and the CA. 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, Saved Policies DC18 and DC19 of the Unitary Development Plan for the City of Manchester, adopted 1995 (the UDP) and Policies JP-Strat2, JP-P1, JP-P2 and JP-C5 of the Places for Everyone Joint Development Plan, adopted 2024. 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.

⁵ Appeal Refs: APP/B4215/W/25/3369446; APP/B4215/W/25/3369503; APP/B4215/W/25/3369504

30. The Council has also referred to Saved Policy DC22 of the UDP which states that in considering development proposals, the Council will have regard to the effect on existing pedestrian routes and will not normally allow development which would result in unacceptable inconvenience to local pedestrian movement. However, as this policy relates to the effect of the proposal on pedestrian movement, it is not relevant to the Council's sole reason for refusal which relates to the effect on the character and appearance of the area and not pedestrian movement or safety. Accordingly, I find no conflict with this policy.
31. 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.
32. The proposal 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.

Other Matters

33. The Council's reason for refusal for both Appeal A and B did not cite harm to highway safety, public safety or pedestrian movement. Nonetheless, I have had regard to the comments made by Council's Highways team and to the Greater Manchester Combined Authority Streets of All Design Guidance adopted in November 2023, which sets out the importance of a rational, legible, inclusive walking and wheeling environment and that streets should be universally accessible, safe and welcoming. They further state that the Design Guide's emphasis is that streets cannot be considered inclusive if the footway is too narrow as a result of clutter.
34. In this particular case, the existing unit is close to other items of street furniture including, trees and a waste bin. It would retain a pavement width of approximately 4.4 metres between the proposed unit and the nearest building line. Therefore, whilst there would be a small increase in the footprint of the unit, its position on a wide section of pavement means that it is unlikely to have a harmful effect on pedestrian flows, the quality of the pedestrian environment, nor would it result in a footway which is too narrow as a result of clutter.
35. For these reasons, whilst I accept that there is a need to review and reduce street clutter to support these aims, it does not impose an overall presumption against the replacement of existing street furniture, particularly in those circumstances where it would not have a harmful impact. Accordingly, whilst I have had regard to the guidance, I am not persuaded that the position of this proposed hub, would undermine this wider strategy nor lead to conflict with its overall aims and objectives.

36. 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.
37. 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.
38. 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 refused on these grounds.
39. I have had regard to third party concerns regarding the siting of kiosks on the side of roads and the highlighted appeal decision⁶. However, it would be positioned in a similar position to the existing unit and there is no substantive evidence to demonstrate that the existing unit has caused highway safety concerns for these reasons. Furthermore, the Council has not raised any specific concerns in relation to driver visibility, distraction or safety risks and based on the evidence before I see no reason to reach an alternative conclusion. Therefore, whilst I have had regard to these concerns there is no substantive evidence before me to demonstrate that the proposals pose a risk to highway safety, such that it would warrant refusal of the appeal scheme.
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

⁶ Appeal Ref: APP/E5330/H/24/3350920

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:
 - 25004465_LOC_S1_1.1 - Location Plan
 - 25004465_PLN_SI_2.1 - Proposed Site Plan
 - 25004465_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	6003994	Verity Cheyne on behalf of BT Telecommunications PLC
Appeal B	6003990	Verity Cheyne on behalf of BT Telecommunications PLC