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: 1st June 2026

Appeal A Ref: 6004009
Sackville Street, Opposite No.60, Manchester M1 3BU

- 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 Telecommunications PLC against the decision of the Manchester City Council.
- The application Ref is 144124/FO/2025
- The development proposed is described as the proposed removal of an existing InLink Unit, and the deployment of a replacement Street Hub 3 unit.

Appeal B Ref: 6004006
Sackville Street, Opposite No.60, Manchester M1 3BU

- 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 Telecommunications PLC against the decision of the Manchester City Council.
- The application Ref is 144197/AOH/2025
- The advertisement proposed is described as the proposed removal of an existing InLink Unit, and the deployment of a replacement Street Hub 3 unit.

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 Sackville Street, Opposite No.60, Manchester M1 3BU in accordance with the terms of the application, Ref 144124/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 Sackville Street, Opposite No.60, Manchester M1 3BU in accordance with the terms of the application, Ref 144197/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 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.

4. In respect of Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that decisions be 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 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

6. 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 Whitworth Street Conservation Area and the setting of a nearby listed building and non-designated heritage asset.

7. For Appeal B, the main issue is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

8. The appeal site relates to an area of footpath to the front of the University of Manchester Institute of Science and Technology, known as the Sackville Building, and opposite 60 Sackville Street (No 60). It sits within the north campus of the University of Manchester. As such, this location is a vibrant, busy area of the city centre. The appeal site is 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.

9. The Sackville Building[1] is a Grade II Listed Building. Its significance is derived primarily from its architectural interest as a substantial red brick and sandstone building built between 1895 and 1912 by Spalding and Cross. The building is a French renaissance style building comprising of five storeys.

10. The site is also within the Whitworth Street Conservation Area (the CA). The significance of the CA lies in its architectural interest with its array of Victorian and Edwardian buildings, built between 1850 and 1920. Its significance is also derived from its historical importance of the textile industry within the city.

11. The Council has also identified No 60 (also known as Velvet House), as a non-designated heritage asset. Its significance lies in its position as a prominent building on the corner of Sackville Street and Bombay Street, exhibiting facades which predominantly feature red brick with stone window surroundings and decorative projecting gables.

12. The proposal seeks planning permission and advertisement consent for the replacement of the existing InLink 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

[1] List Entry Number: 1247609

screen measuring approximately, 0.95m by 1.67m. The unit would be finished in a black powder coated cladding.

13. In respect of its design and appearance, the existing unit is predominantly finished in silver and black, whereas the proposed replacement would be finished primarily in black and would incorporate a larger digital display. Although the proposed unit would be larger than the existing, it would remain relatively modest in scale, particularly when viewed in the context of the substantial Sackville Building. Its position close to the kerb edge would provide a degree of visual separation from the listed building, while retaining a clear functional and visual relationship with surrounding street furniture, including cycle stands, lighting columns and highway signage.

14. The use of black as the predominant colour would provide a stronger contrast with the lighter paving and adjacent stonework of the Sackville Building. However, black is a commonly used colour for street furniture within the immediate vicinity and, in this context, the unit would appear visually consistent with its surroundings. Taking these factors together, I find that the proposal would not introduce an intrusive or incongruous feature and would therefore respect the character and appearance of the area.

15. I acknowledge that the proposal would not represent a strictly like-for-like replacement in that it would be of a different colour, material and be slightly larger than the existing unit. However, it would not be so materially different in terms of its siting, scale, form and function, such that it would cause unacceptable harm to the character and appearance of the area having regard to the current situation. Furthermore, whilst the proposal would involve the installation of a replacement unit, which would be a modern addition to the street scene, the existing unit, which is modern in its design and appearance already forms part of the established character of the area.

16. When planning permission and advertisement consent were granted for the existing unit, there were associated benefits comprising of the removal of a telephone kiosks, and as a result a positive contribution to the reduction in street clutter. I recognise that these benefits would not apply to this current proposal. However, in terms of its siting, the replacement hub would be located in a broadly similar position within the footpath, being only 346mm wider and 71mm deeper. Therefore, whilst it would have a larger footprint than the existing unit, there would be no net increase in the presence of these types of units and therefore, although slightly larger, there would be no harmful increase in visual clutter in this location. Furthermore, the proposed increase in height would be experienced alongside the tall buildings which surround the appeal site and nearby streetlights. As a result, it would not appear unduly prominent in this context.

17. 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.

18. 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.

19. 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.

20. I accept that the pavement in this location contains fewer examples of street furniture than can be found elsewhere in the city centre and is typically limited to street lighting, highway signage and cycle racks. There are also very few advertisements visible and illuminated advertisements are not a common feature of the immediate surrounding area. However, I have to take into account the existing situation, which includes the existing unit, with associated illuminated digital advertisement screen. Set against this existing context, I am not persuaded that the proposal, would be unduly harmful to the character and appearance of the area, such that it would warrant dismissal of the appeal.

21. With regard to effect of the proposal on the Grade II Listed Building, I recognise that the proposal would be located within its setting. However, the appeal site already accommodates a modern unit with illuminated, digital display, which forms part of the established character of the area, and it would replace an existing structure of a similar form and function. Therefore, whilst the proposed structure would be modestly larger and incorporate a larger digital display, these changes would not materially alter its relationship with the setting of the listed building. For these reasons, I therefore find that the proposal would preserve the significance of the listed building, including its setting. For the same reasons, it would also preserve the setting and significance of the nearby NDHA.

22. As I have concluded, taking into account the established character of the area, that the proposal would not cause unacceptable harm to the character, appearance and visual amenity of the area or to the setting of nearby designated and non-designated assets, I also find that there would be no harm to the character and appearance of the CA, and thus its significance would be preserved.

23. 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).

24. My attention has been drawn to a number of appeal decisions[2] within the same local authority area. Whilst I do not 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.

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

25. 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 (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.

26. 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 therefore meet with the objectives of the above policies.

27. 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.

Other Matters

28. 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 Transport for Greater Manchester and the Greater Manchester Combined Authority Streets of All Design Guidance 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.

29. In this particular case, the existing unit is close to two electricity boxes. It would retain a pavement width of approximately 6.6 metres between the proposed unit and the pavement edge, and approximately 2.5 metres between the unit and the building line. Therefore, whilst there would be a small increase in the footprint of the unit, the width of this 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.

30. 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.

31. 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.

32. 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 considered 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.

33. 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.

34. 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.

35. 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.

36. 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.

37. Concerns have also been raised in relation to noise disturbance arising from the use of the unit. However, the appeal is supported by a Noise Management Plan, and the Council's Environmental Health team were consulted and raised no objection subject to the imposition of a planning condition requiring compliance with the submitted plan. Therefore, in the absence of any substantive evidence to the contrary, I am satisfied that the proposal will not harm the living conditions of neighbouring occupiers, with regard to noise.

38. 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.

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

40. I note that the Council has raised concerns about the removal of a telephone box, which formed part of an earlier proposal. However, this is not a matter for this appeal.

Conclusion

41. 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.

42. 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:

    - 25004472_LOC_S1_1.1 - Location Plan
    - 25004472_PLN_SI_2.1 - Proposed Site Plan
    - 25004472_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	6004009	Ms Verity Cheyne on behalf of BT Telecommunications PLC
Appeal B	6004006	Ms Verity Cheyne on behalf of BT Telecommunications PLC