



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: 11th June 2026

Appeal A Ref: 6003889

Portland Street, Outside 1, Manchester MM1 4AJ

- 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 144108/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: 6003887

Portland Street, Outside 1, Manchester MM1 4AJ

- 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 144109/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 Portland Street, Outside 1, Manchester MM1 4AJ in accordance with the terms of the application, Ref 144108/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 Portland Street, Outside 1, Manchester MM1 4AJ in accordance with the terms of the application, Ref 144109/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 be 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 the setting of a Grade II listed building. As a result, in reaching my decision on Appeal A, I have had special regard to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the setting of the listed building, and any features of special architectural and historic interest which it possesses.

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 the setting of a nearby listed building.
8. For Appeal B, the main issue is the effect of the proposed advertisement on amenity.

Reasons

9. The appeal site is located within the footpath immediately to the front of One Piccadilly Gardens, which is a modern mixed-use building. It is occupied by an existing InLink unit, which 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 regular intervals.
10. It is close to Piccadilly Gardens Station, which is a busy transport hub. In this location, as is perhaps expected in city centre locations such as, there is a range of items of street furniture close by, including traffic signage, streetlights, telecommunications cabinets and waste bins.
11. The surrounding area contains a variety of uses including retail, bars, cafes, restaurants, offices, residential and hotel uses. The surrounding area, due to its proximity to the primary retail areas and transport connections is characterised as a busy city centre environment. There is also a high degree of architectural variety, with more modern buildings located on this part of Portland Street, which contrast with some of the more traditional architecture found directly opposite. There is also another similar type of unit¹ close to the appeal site. These existing units therefore form part of the character of the area.
12. The appeal site lies close to the Grade II Listed Portland Thistle Hotel (3,5 and 9 Portland Street)². It is primarily constructed from sandstone ashlar with slate roofs and an Italian palazzo style. Its significance is derived from its architectural interest, particularly its stone façade, including its arcaded ground floor, classical

¹ Planning Application Ref: 130164/AOH/2021

² List Entry Number: 1246951

detailing, strong horizontal cornices, pilasters and balustraded parapet, which together contribute positively to the Portland Street townscape.

13. 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.
14. I accept that the proposed Street Hub 3 would be taller, wider and slightly deeper than the existing unit. However, it would still have a slim profile, with a modern, high-quality design, which would not appear incongruous in this highly commercial setting. Although, the existing unit is predominantly silver and black, whereas the replacement would be darker in colour and incorporate a larger digital screen, it would be viewed in the context of surrounding street furniture, which are nearly all black in colour. It would also be of a similar scale and appearance to the other nearby unit. Whilst there would be a greater contrast to the light-coloured paving, given 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.
15. Whilst I accept that the proposed development would introduce a more modern addition into the street scene, there is also a high degree of variety of advertisements, including illuminated screens of a similar scale to that proposed. Therefore, I find that it would not by virtue of its design, scale, appearance and materials result in a harmful effect on the existing character and appearance of the area.
16. 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.
17. The Council states that the proposed totems would add intrusive structures that would negatively impact upon the plans to regenerate Piccadilly Gardens, as they would see the introduction of large, bulkier, darker structures in the public realm, which will not be visually appealing and will detract from any forthcoming efforts to make Piccadilly Gardens an attractive world-class space. However, whilst the proposal would not be strictly like-for-like replacement, the increase in height and footprint of the unit would not result in the addition of intrusive or dominant structure to the area, particularly as it would be sited in broadly the same position. Furthermore, there is no substantive evidence before me that the proposal would negatively impact efforts to regenerate Piccadilly Gardens.
18. I recognise that the proposal would not make a meaningful contribution to the Council's strategy to reduce street clutter, nor would it deliver the same benefits as previously approved schemes³ involving the removal of existing infrastructure. Nevertheless, it would comprise the replacement of an existing unit, albeit of

³ Planning Application Refs: 118467/FO/2017 and 118468/AOH/2017

modestly increased scale, and would not give rise to an over-proliferation of totem structures or advertisements. Having regard to its siting and limited increase in footprint, I am satisfied that it would not materially intensify the perception of clutter or detract from the quality of the pedestrian environment. Accordingly, I find that the proposal would not result in unacceptable harm to the character and appearance of the area.

19. 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.
20. 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.
21. 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.
22. In respect of the setting of the nearby listed building, The Portland Hotel, the replacement unit would be sited in the immediate context of the modern buildings which form this part of Portland Street, which is a wide road, with some long straight views of the listed building. However, these views also take in the surrounding context of street furniture and signage, which includes other hubs, advertisements and overhead tram lines which form part of the urban environment in this location. Therefore, whilst I accept that the replacement unit and the listed building would be experienced together from a small number of vantage points, it would not be prominently sited within the setting of the listed building. Furthermore, as noted above, the proposed increase in size would be marginal. Therefore, I find that the proposal would not have a harmful effect on its setting or significance.
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 decisions⁴ 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, they are not directly comparable to this appeal proposal, and I attribute them limited weight.
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. 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 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. 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. 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.
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 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

29. 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

⁴ Appeal Refs: APP/B4215/W/25/3369446; APP/B4215/W/25/3369503; APP/B4215/W/25/3369504

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.

30. 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.
31. 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.
32. I have had regard to the concerns which have been raised by a local Councillor regarding the potential reduction in pavement space, increased street clutter, and impacts on safety, including the perception of crime. However, there is no substantive, site-specific evidence before me to indicate that the proposal would materially impede pedestrian movement, significantly harm visibility, or give rise to increased crime or anti-social behaviour. Consequently, these concerns do not outweigh my findings in relation to the main issues of this appeal.

Conditions

33. 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.
34. 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.
35. 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.
36. 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.

37. 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.
38. 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.
39. 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.
40. 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

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:
 - 25004398_LOC_S1_1.1 - Location Plan
 - 25004398_PLN_SI_2.1 - Proposed Site Plan
 - 25004398_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	6003889	Ms Verity Cheyne on behalf of BT Telecommunications PLC
Appeal B	6003887	Ms Verity Cheyne on behalf of BT Telecommunications PLC