



Appeal Decisions

Site visit made on 30 December 2024

by **Siobhan Watson BA(Hons), MCD, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 January 2025

Appeal A Ref: APP/C4235/W/24/3349938

Pavement o/s, Merseyway Shopping Centre, Mersey Square, Stockport, SK1 1QW

- 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 Infocus Public Networks Limited against the decision of Stockport Metropolitan Borough Council.
- The application Ref is DC/091833.
- The development proposed is the installation of a multifunctional communication hub including defibrillator and advertisement display.

Appeal B Ref: APP/C4235/H/24/3349939

Pavement o/s, Merseyway Shopping Centre, Mersey Square, Stockport, SK1 1QW

- 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 Infocus Public Networks Limited against the decision of Stockport Metropolitan Borough Council.
 - The application Ref is DC/091834.
 - The advertisement proposed is the installation of a multifunctional communication hub including defibrillator and advertisement display.
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Decisions

1. Appeal A and Appeal B are dismissed.

Procedural Matter

2. In terms of Appeal B, powers under the Advertisement Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. I have taken into account the policies provided by the Council but they have not, in relation to the advert, been determinative.

Main Issues

3. The main issues in both appeals are the effect of the communications hub upon the amenity and safety of pedestrians.

Reasons

4. The hub would be positioned close to the main entrance of Merseyway Shopping Centre. The advertisement would face the highway and the publicly useable part of the structure would face the shopping centre entrance. According to the submitted site plan, it would be very close to the corner of a large tree planter.

5. I saw at my visit that pedestrians funnel in and out of the entrance to Merseyway and they walk across Mersey Square in front of the entrance. At the time of my visit, the area was busy with pedestrians heading in different directions. The hub, in proximity to the planter, would be a significant obstruction for pedestrians coming and going around the entrance to the shopping centre. If someone were using the hub, they would have to stand on the planter side, which would further reduce the space available to pedestrians. In addition, the hub is large enough to inhibit views of people walking around it. The hub would therefore result in an unacceptable obstruction for pedestrians, particularly for those who are blind and those who use wheelchairs or mobility scooters. It would be inconvenient, add to pedestrian congestion and have the potential to result in collisions.
6. The hub would provide some community facilities. These would include the provision of free telephone calls to landlines and charities, USB and wireless charging for devices, free Wi-Fi, a 32-inch touch screen to enable wayfinding, direct access to local webpages, and a defibrillator. I appreciate that the defibrillators installed on other hubs have been well used. The advertisement screen could also be used by public authorities and charities to provide public information. These would be benefits of the proposal, but they would not outweigh the harm caused by the awkward siting of the hub.
7. I therefore find that the communications hub would harm the amenity and safety of pedestrians. Consequently, I find the proposal to conflict with Policies SIE-1, CS9, CS10 and T1 of the Stockport Core Strategy. In combination, these policies seek to ensure that development takes into account of design, safety, accessibility, the needs of pedestrians, and that good walking networks are maintained.

Conclusions

8. For the above reasons, both appeals are dismissed.

Siobhan Watson

INSPECTOR