



Appeal Decisions

Site visit made on 10 January 2025

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st January 2025

Appeal A Ref: APP/Q4245/W/24/3348892

Altrincham Station, Stamford New Road, Altrincham, Trafford WA14 1EN

- 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 Mr Nathan Still of In Focus Public Network Limited against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 113390/FUL/24.
 - The development proposed is installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.
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Appeal B Ref: APP/Q4245/H/24/3348894

Altrincham Station, Stamford New Road, Altrincham, Trafford WA14 1EN

- 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 Mr Nathan Still of In Focus Public Network Limited against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 113391/ADV/24.
 - The advertisement proposed is installation of a modern, multifunction Hub unit featuring an integral advertisement display and defibrillator.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals are for related proposals on the same site. Appeal A concerns the refusal of planning permission to erect a multifunctional communication hub (the hub). Appeal B concerns the refusal of express consent for an advertisement display on the hub. I have considered each appeal on its individual merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
4. Whilst not specifically referred to in the original appeal submissions, or included within the reasons for refusal on either Appeal A or Appeal B, my attention has been drawn to the appeal site being located within the Altrincham Town Centre Neighbourhood Business Plan (ATCNBP) area. The ATCNBP forms part of the Development Plan and the main parties were given the opportunity to comment on the implications of the ATCNBP for both Appeal A and Appeal B. Whilst neither

party provided any comments, I have taken the ATCNBP into account in my consideration of these appeals.

5. Subsequent to the Council issuing its decision the revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The amendments to the Framework do not affect the matters that are in dispute in the determination of this appeal. Therefore, in this instance, it has not been necessary to consult the main parties on the amendments to the Framework.
6. The decision notice in relation to Appeal A includes a reason for refusal concerning a lack of information in respect of disturbance arising from both noise and lighting. Furthermore, the decision notice in relation to Appeal B includes a reason for refusal concerning a lack of information in respect of disturbance arising from lighting.
7. As part of their submissions the Council has confirmed that matters relating to disturbance arising from lighting can be addressed by way of planning conditions. Consequently, they are content not to pursue this matter further in respect of both appeals. I have proceeded on that basis.
8. However, in the interest of clarity the Council's concerns relating to noise disturbance in respect of Appeal A remain and I have considered them below in my determination of this appeal.
9. In respect of Appeal B, the Advertisements Regulations require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken into account the policies that the Council considers to be relevant, as well as policies within the ATCNBP, these have not been decisive in my determination of this appeal.
10. The appeal site is situated within the Stamford New Road Conservation Area (the CA) and therefore in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA in respect of Appeal A and Appeal B
11. The appeal site is located within the setting of the Grade II Listed Clock Tower on Station Forecourt (the Clock Tower). In determining Appeal A I have a statutory duty, under 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.

Main Issues

12. The main issues in respect of Appeal A are the effect of the proposal on:
 - the character and appearance of the area, including its effect upon the CA, non-designated heritage assets and whether the setting of the nearby listed Clock Tower would be preserved;
 - the movement of pedestrians;
 - pedestrian and highway safety; and
 - the living conditions of nearby residents with particular regard to noise.

13. The main issues in respect of Appeal B are the effect of the proposed advertisement on visual amenity and public safety.

Reasons

Character, appearance and visual amenity

Character, appearance and significance of heritage assets

14. The appeal relates to a wide section of footway on the eastern side of Stamford New Road within Altrincham Town Centre. This section of footway acts as a central pedestrianised island between the highway of Stamford New Road and the road used by buses to access the Altrincham Transport Interchange which is situated to the east of the site. Being bound by roads on either side, this central pedestrianised island includes metal safety railings along both sides, with gaps in these railings allowing access to a number of pedestrian crossing points.
15. Whilst not shown on the submitted plans, other street furniture within the immediate vicinity of the appeal site includes lighting columns, a sign for the Altrincham Transport Interchange, benches and seats, all of which are positioned close to the railing on the eastern side. Centrally within the footway is a further lighting column and a six-tiered street planter. These existing items of street furniture are currently well designed and spaced, with visual breaks between them. Furthermore, their layout caters for the appropriate movement of pedestrians, and provides a place to sit, in this busy town centre location adjacent to the public transport interchange.
16. As mentioned, the appeal site is located within the CA. The significance of the CA is in part derived from the development of the Altrincham railway station and a cohesive group of good quality buildings with a variety of architectural styles and detailing, which contribute to a high-level of aesthetic value. The buildings in the CA are largely commercial and generally three-storey in height with greater architectural detailing to their upper floors.
17. The site is located at the northern end of this CA. The immediate surrounding area is primarily characterised by the modern Altrincham Transport Interchange building and the larger scale 20th century built commercial buildings on the western side of Stamford New Road, with these larger commercial buildings being outside the boundary of the CA.
18. To the southwest of the appeal site is the Grade II Listed Clock Tower which was constructed in 1880. The Clock Tower is brick built with stone dressing, housing 4 clock faces at the top. The ground floor section of the Clock Tower includes an entrance door facing towards the Altrincham Transport Interchange and tall sash windows, with attractive stone surrounds, in the other three sides. The middle section has similarly designed window openings, with semi-circular headings. These features are of architectural interest and collectively contribute to the significance of this heritage asset.
19. The freestanding Clock Tower is therefore a visually attractive, tall and prominent structure within this part of the CA. Its location close to the entrance to the Altrincham Transport Interchange provides a strong reference point for visitors as it dominates key views when looking north and south along Stamford New Road.
20. These relatively long views towards the listed building form part of its setting and contribute to its significance by relating it to the wider CA and the surrounding

historic buildings, including its association with the public transport interchange which forms an important part of the character of the CA. As such, the appeal site, due to its location on a pedestrianised island to the south of the Clock Tower, and with no intervening buildings between, provides views towards and beyond the listed Clock Tower. Consequently, the site makes an important contribution to the setting and significance of the listed building, and the wider CA in general.

21. To the south of the appeal site is Altrincham Station (railway), which the Council states is a non-designated heritage asset (NDHA). As a result of its age and the important role the railway played in the development of Altrincham this building has both historical and communal interest. Furthermore, aesthetic interest also derives from its single storey red-brick construction, with blue and yellow brick decoration.

Effect of the proposal

22. The proposed hub would occupy a prominent position within the busy centralised footway between Stamford New Road and the Altrincham Transport Interchange. It would be relatively utilitarian in its appearance and through a combination of both its height and width the hub would be a visually intrusive and bulky addition to this section of the footway.
23. Furthermore, its siting in an existing gap between the centrally located planter and the bench would reduce and disrupt the spatial distance between existing street items, adding visual clutter and making this busy pedestrian route a less pleasing place to walk. Its siting directly in front of an existing bench would also result in the hub being an imposing feature for users of this piece of existing street furniture, thereby reducing the attraction of this bench as a place to sit.
24. In view of the above, I find that the proposal would cause harm to the character and appearance of the area, and would not preserve the character or appearance of the CA.
25. The hub would also be prominently viewed within the setting of the listed Clock Tower and paragraph 212 of the Framework states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation.
26. The above mentioned bulky and utilitarian appearance of the hub would not be in keeping with the traditional form and design of the listed Clock Tower and would introduce an incongruous feature within its setting. Additionally, the hub would impede and dominate views of the Clock Tower when travelling from the north. Its frequently changing digital screen would also be visible behind the Clock Tower when travelling from the south, thereby competing with the visual prominence of this listed building in this part of the CA.
27. The proposal would therefore result in harm to the setting of this nearby listed building and paragraph 213 of the Framework states that any harm to the significance of a designated heritage asset from development within its setting should require clear and convincing justification.
28. With regard to the impact of the hub on the NDHA of Altrincham Station. I observed that direct views from the appeal site to Altrincham Station, and vice versa, are obscured by the modern bus station building. Whilst accepting that there are locations from which the appeal site and Altrincham Station can both be viewed,

given the distance and intervening bus station building, I found that they were not viewed within the same setting as each other. I therefore conclude that the proposal would not have a harmful impact upon this NDHA.

29. With regard to the proposed advertisement, given the commercial character of the area, there are existing advertisements in the locality, including fascia signs, projecting signage and window signs at nearby commercial premises on the opposite side of Stamford New Road. The Altrincham Transport Interchange also includes some signage. Nevertheless, digital display advertisements were not a feature of the street scene or this part of the CA.
30. As such, the incompatible and prominent siting of the proposed digital advertisement on the centralised pedestrian island, made more conspicuous by its illumination and changing images, would undermine the existing qualities of the area. It would introduce visual intrusion and further heighten the prominence of the hub in this location. The proposed advertisement would therefore result in harm to the visual amenity of the area.
31. For the reasons given, the proposal would have an unacceptable impact on the character and appearance of the area, and cause harm to visual amenity. Furthermore, it would cause harm to the setting of the nearby listed Clock Tower and it would not preserve or enhance the character or appearance of the CA. I give this harm considerable importance and weight.

Public benefits and conclusion on designated heritage assets

32. In view of the above, I find the proposal would lead to less than substantial harm to the significance and setting of the listed Clock Tower, and less than substantial harm to the significance of the CA. Paragraph 215 of the Framework requires that where a proposal would lead to less than substantial harm to a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
33. In respect of Appeal A, paragraph 119 of the Framework states that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social well-being. The Framework also seeks to support the expansion of electronic communication networks. The hub would therefore support the Government's aim of improving digital infrastructure.
34. The proposal would also improve the communication provision in this area, provide greater connectivity and enable users to access the digital network without charge. The hub would incorporate a defibrillator and I acknowledge the support from the Community Heartbeat Trust in this respect. A range of integrated functions and facilities would also be provided, such as access to emergency services, USB charging, CCTV and wayfinding, and the hub would be powered by solar energy.
35. I also note the submission states that as part of the project to deliver several hubs in the wider area, up to three additional solo defibrillator units would be supplied for the Council to determine the most suitable locations. However, I have very limited information in respect of the provision of these additional solo defibrillator units, or any mechanism before me to ensure that they are provided. This therefore limits the weight I can attribute to this matter as a public benefit.

36. Nonetheless, when taken together the above-mentioned public benefits attract moderate weight in favour of the proposal. However, these public benefits do not outweigh the considerable importance and weight I must attach to the designated heritage assets.
37. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. As such, most of the proposed benefits put forward by the appellant cannot be taken into consideration in my decision for Appeal B. Nevertheless, even in a scenario whereby I accepted that use of the advertisement to display emergency messages and public messaging campaigns was a public safety matter relevant to the control of advertisements, the public benefits derived from it would not overcome the harm I have identified to visual amenity.
38. I therefore conclude on this issue that the proposal would harm the character, appearance and visual amenity of the area. Furthermore, it would harm the significance and setting of the nearby listed Clock Tower and it would not preserve or enhance the character or appearance of the CA.
39. The proposal would therefore be contrary to Policies JP-P1 and JP-P2 of the Places for Everyone Joint Development Plan (2024) (PfE Plan), Policies R1 and W2 of the Trafford Local Plan: Core Strategy (2012) (CS) and Policy D of the ATCNBP. These policies together require, among other things, that development 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; that the heritage significance of a site or area is considered in accordance with national policy; and that development conserves the historic environment and preserves and enhances heritage assets. The proposal would also fail to satisfy the requirements of the Act and the relevant sections of the Framework.

Movement of pedestrians

40. As previously mentioned, I find the existing items of street furniture on this centralised pedestrian island are well spaced, with gaps between them to allow for appropriate pedestrian movements, as well as a place to sit, in this busy location adjacent to the public transport interchange.
41. To the north and south of the appeal site are pedestrian crossings which each provide access to the Altrincham Transport Interchange. Also, directly to the north is a signalled controlled pedestrian crossing providing access to the other side of Stamford New Road. As such, in the middle of a weekday afternoon I saw pedestrians frequently walking directly past, and over, the appeal site towards, or away from, the nearby Altrincham Transport Interchange.
42. Whilst acknowledging that most pedestrians walked on the western side of the centrally located planter, I also observed people walking on the eastern side of the planter, where the proposed hub would be sited. This was most common when people approached from different directions and therefore to avoid passing each other on the western side, some would walk around the eastern side of this planter.
43. Based on the evidence before me and my observations on site, the siting of the proposed hub would significantly reduce the width of the footway on the eastern

side of this planter and have an obstructive effect on this part of the footway. It would compromise the ability for people to walk on the eastern side of the planter, especially if the hub, or the adjacent bench and seats, were being used. Simply, I find the proposed hub would force pedestrians to walk on the western side of the planter.

44. Whilst acknowledging that there is sufficient space for pedestrians to walk on the western side of the planter, pedestrians passing in opposite directions would become a more difficult situation to navigate in comparison to the existing situation. It is likely that at busy times people walking in opposite directions would have to pause, give way or wait in order to pass on this side of the planter. This would be particularly more difficult when people are traveling in groups; for pedestrians with buggies and/or a disability; or when cyclists seek to navigate this section of the footway.
45. The proposal would therefore diminish the existing successful movement function of the public realm on this section of the footway where people can currently pass unhindered on both sides of the existing planter. Consequently, the proposal would undermine the function of this part of the footway as an important pedestrian route towards, and away from, the Altrincham Transport Interchange.
46. I therefore conclude that the siting of the proposed hub would have a harmful impact upon pedestrian movement in this busy town centre location adjacent to the public transport interchange. The proposal would therefore be contrary to Policy JP-P1 of the PfE Plan where it seeks to ensure that all development is easy to move around for those of all mobility levels, particularly by walking and cycling, with enjoyable routes free from obstacles.

Highway and public safety

47. I note the Council's second reason for refusal in respect of both Appeal A and Appeal B states that the obstruction caused by the proposed hub would result in an unacceptable impact upon highway and pedestrian safety.
48. For the reasons given above, I have concluded that the proposed hub would have a harmful impact upon pedestrian movement along this section of the footway. However, given the existing railings on either side of the footway, I find that pedestrians would not be forced to walk in the highway used by vehicles when seeking to pass in this location.
49. As such, whilst acknowledging that the siting of the proposed hub would result in an unacceptable inconvenience to users of the footway, I do not find that its siting on the footway would have an unacceptable impact upon pedestrian safety.
50. Additionally, there is no substantive evidence, and nothing that I could see on site, to suggest that the proposed advert would conflict with any existing signage, or that the road layout is so complicated in this location, so as to result in any distraction to drivers as they approach. As such, I also do not find that the proposal would have a harmful impact upon highway safety, or public safety in general.
51. Consequently, I conclude that the proposed hub would not have a harmful impact upon pedestrian and highway safety, and the proposed advertisement would not harm public safety. I therefore find no conflict with Policy JP-P1 of the PfE Plan where it seeks to ensure that all developments are safe. I also find no conflict with

paragraph 116 of the Framework where it states that development should only be prevented or refused on highways grounds if there would be unacceptable impact on highway safety.

Noise

52. Given the town centre location there are a mix of commercial uses within the ground floors of the nearby buildings. The Council's submission refers to residential properties above some of these commercial units, however limited details have been provided in respect of the locations and proximity of these residential uses in relation to the appeal site.
53. Nevertheless, the appeal site is located on a central pedestrianised island, with the busy highway of Stamford New Road on one side and the road used by buses to access the Altrincham Transport Interchange on the other. As such, based on the evidence before me and my observations on site, the nearest residential properties would appear to be situated a reasonable distance from the appeal site and above ground floor level.
54. During my visit I observed that when stood on the appeal site background noise from ongoing activities in this area was significant. Audible sources of this background noise included the almost constant sound of vehicles on Stamford New Road, as well as the more infrequent, but louder, noise from buses accessing the adjacent Altrincham Transport Interchange. An additional source of occasional noise arose from car doors closing at the nearby taxi layby on Stamford New Road.
55. As such, given my observations on the existing background noise in this town centre location, adjacent to a busy public transport interchange, I find that noise from users interacting with the speakers on the proposed hub would be unlikely to be discernible above the general activities that currently take place in this area.
56. Furthermore, I have been presented with no substantive evidence that noise generated from the machinery and fans within the unit, if properly maintained, would be unduly noisy, or that they would cause disturbance to the nearest residential properties which are located a reasonable distance from the site.
57. In view of the above, I am satisfied that I have sufficient information to conclude that the proposal would not result in an unacceptable impact upon the living conditions of nearby residents by way of noise and disturbance. I therefore find no conflict with Policy L7.3 of the CS, where it requires, among other things, that development proposals must not prejudice the amenity of adjacent properties by reason of noise and disturbance.

Other Matters

58. I have had regard to suggested conditions proposed by the appellant, as well as the standard conditions set out in Schedule 2 of the Regulations which relate specifically to Appeal B. However, these conditions would not overcome the harm I have identified.

Conclusion

59. I conclude that the appeal proposal would not have a harmful impact upon the living conditions of nearby residents, and it would not have a harmful impact upon

pedestrian and highway safety, or public safety in general. I also found that the proposal would not result in harm to Altrincham Station, which is a NDHA.

60. However, for the reasons given, I have concluded that the proposal would harm the significance and setting of the nearby listed Clock Tower, would not preserve or enhance the character or appearance of the CA, and would cause harm to the character, appearance and visual amenity of the area. Furthermore, the siting of the hub would have a harmful impact upon pedestrian movement in this busy location adjacent to the public transport interchange, and the earlier detailed benefits arising from the proposal would not outweigh the harms I have identified.
61. The proposal therefore conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, both Appeal A and Appeal B are dismissed.

R Major

INSPECTOR