



Appeal Decisions

Site visit made on 1 July 2025

by **R Major BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 July 2025

Appeal A Ref: APP/Q4245/W/25/3363942

Footpath outside 678 Chester Road, Old Trafford, Stretford, Manchester M32 0SF

- 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 Simon Warner BT Group Plc against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 115213/FUL/24.
 - The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
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Appeal B Ref: APP/Q4245/H/25/3363943

Footpath outside 678 Chester Road, Old Trafford, Stretford, Manchester M32 0SF

- 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 Simon Warner of BT Group Plc against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 115214/ADV/24.
 - The advertisement proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
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Decision

1. Appeal A is allowed and planning permission is granted for installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit at footpath outside 678 Chester Road, Old Trafford, Stretford, Manchester M32 0SF in accordance with the terms of the application, Ref 115213/FUL/24, subject to the conditions in the attached schedule.
2. Appeal B is allowed and express consent is granted for display of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit at footpath outside 678 Chester Road, Old Trafford, Stretford, Manchester M32 0SF in accordance with the terms of the application, Ref 115214/ADV/24. The consent is for five 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 additional conditions in the attached schedule.

Preliminary Matters

3. The two appeals relate to the same proposal on the same site. Appeal A concerns the refusal of planning permission to erect a street hub unit (the hub). Appeal B concerns the refusal of express consent for advertisement panels on either side of

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

Main Issue

5. The main issue in respect of both Appeal A and Appeal B is the effect of the proposal on the character, appearance and visual amenity of the area.

Reasons

6. The appeal relates to a wide section of pavement on the northern side of the busy highway of Chester Road (A56). The surrounding area is largely commercial, consisting of a mixture of retail, office, food outlets, drinking establishments and other uses. I observed that the appeal site is active and busy, with people continually passing by on foot.
7. Within the immediate vicinity are various items of existing street furniture, including bins, bollards, telecommunications cabinets, a CCTV pole, streetlamps, traffic lights and metal safety railings separating the highway from the footway. To the northeast of the site are two existing payphone kiosks, although one has been adapted and now contains a cash machine. The presence of street furniture is therefore an established characteristic within this commercial area.
8. Additionally, along the footway to the southwest is a freestanding two-sided digital advertisement display that is visible from the appeal site, with an additional two-sided digital advertisement display positioned further beyond it. However, the furthest of these advertisement displays is partially screened from the appeal site by existing vegetation and a bus shelter.
9. The appeal proposal seeks to remove the two existing payphone kiosks and erect a street hub unit with advertisement panels on either side. The proposed installation would be an upstanding rectangular structure and would be positioned in a slightly different location to the existing kiosks. It would be moved slightly to the southwest, further away from the pedestrian crossing point and closer to an existing bin and telecommunications cabinet. The hub would house features that provide free Wi-Fi, free UK calls, USB charging, access to emergency services and other facilities.
10. I observed that the two existing kiosks to be replaced together have a bulky appearance and are in a relatively unkept state, with one of them in particular suffering from graffiti and various stickers affixed to it. The removal of these kiosks would therefore be of visual benefit to this area.
11. That said I acknowledge the hub would be taller and the introduction of illuminated digital displays would increase the prominence of the proposal in comparison to these kiosks. Nevertheless, given the commercial nature of the area and the existing features within the street scene, including the nearby hub to the southwest, the increase in height and prominence resulting from the proposal, as

well as the introduction of illuminated advertisement displays, would not be such that it would lead to harm to the visual amenity of the area.

12. Furthermore, given the already bustling, commercial aspect of this area, the proposed hub, with advertisement panels, would not appear incongruous, either on its own or in combination with other nearby furniture and advertisements. I do not therefore consider the proposed advertisements would result in an over proliferation in this commercial setting.
13. I acknowledge that the siting of the hub closer to the existing bin and cabinet would result in a degree of clutter from street furniture in that specific location, however not to an unacceptable degree. Moreover, the removal of the two existing kiosks, which have a larger footprint than the slim and modern designed hub, would result in an overall reduction in the amount of street furniture, clutter and bulk along this section of the A56, to the visual benefit of the streetscape.
14. I note the Council have stated that they are taking a proactive stance on unsightly and unauthorised signage along the A56 to improve the quality of the area. I have been provided with limited detailed information in respect of this, and in any case, for the reasons given, I do not find the appeal proposal to be unsightly or visually harmful to the area.
15. My attention has been drawn to two dismissed appeals¹ for hubs and associated advertisements elsewhere within the borough. I note that these appeals relate to the installation of new hubs without removing any existing street furniture, whereas the current appeal proposal seeks to install a new hub to replace two existing telephone kiosks.
16. Moreover, issues relating to the impact of a proposal upon the character, appearance and visual amenity of an area are a matter of planning judgement based on the site-specific circumstances and surroundings. Consequently, I find those appeal decisions are not comparable to the appeal scheme before me and therefore carry very limited weight in my determination of this appeal.
17. In view of all the above, I conclude that given the existing commercial context of the surroundings, as well as the resulting removal of the existing telephone kiosks, the proposed hub and adverts would not harm the character, appearance or visual amenity of the area. The proposal therefore accords with Policy JP-P1 of the Places for Everyone Joint Development Plan (2024) where it seeks, amongst other things, that development respects and acknowledges the character and identity of the locality in terms of design, siting, size, scale and materials used; and incorporates high quality in the design and finish of the public realm. The proposal would also accord with the relevant provisions of the Framework, which have similar aims.
18. I have also had regard to the Council's Advertisements Planning Guidelines. Given that I have concluded that the proposal would not harm visual amenity for the reasons detailed above, I therefore conclude the proposal would not conflict with this guidance.

¹ APP/Q4245/W/24/3348895 and APP/Q4245/W/24/3348900

Other Matters

19. Interested parties have raised concerns in respect of the hub causing an obstruction on the footway and a distraction for users of the A56. Concerns have also been raised regarding anti-social behaviour and users being vulnerable to street robbery.
20. I observed that the footway in this location was wide, and the hub would not obstruct the free movement of pedestrians. Its siting close to a busy highway with street lighting in a commercial area also ensures that the hub, and any users, would benefit from natural surveillance. The Council, including the Highway Officer, have not suggested the proposal would affect public safety and based on my observations on site I see no reason to disagree.
21. As the proposal does not seek to provide an addition to an existing mast or base station, the requirement in paragraph 122(b) of the Framework to provide a statement that self-certifies that the cumulative exposure will not exceed International Commission guidelines on Non-Ionizing Radiation Protection (ICNIRP) is not applicable.
22. I note the concerns raised regarding the potential effect of the hub, screens and lighting on children and those with long standing health issues or a disability. In reaching my decision I have therefore had regard to the Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010. This sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include people within certain age groups, including children, and those with disabilities.
23. In reaching my decision I have kept these interests at the forefront of my mind. I have considered all users of the public highway, including those with a 'protected characteristic', and find that the size and siting of the hub and adverts would not disproportionately affect people with a protected characteristic. Consequently, the PSED does not provide a reason to dismiss the appeal. Additionally, I have no compelling evidence before me that the appeal should be dismissed on the effects of the screens and lighting on human health, animal health or biodiversity.
24. The submission states that the hub would be powered by 100% renewable carbon-free energy and I am therefore satisfied the proposal would be energy efficient.
25. Interested parties have raised concerns over the use of any CCTV on the hub and data protection. I note that there is already a CCTV camera in the vicinity of the appeal site, nevertheless these matters are controlled by other regulations.

Conditions

26. The Council and the appellant have provided some suggested conditions for both appeals which I have considered against paragraph 57 of the Framework, and the advice contained in the Planning Practice Guidance. I have also taken into account the comments received by both parties in respect of the suggested conditions. I have edited the suggested conditions to improve precision and enforceability where necessary.
27. In Appeal A, in addition to the statutory time condition (1), a condition listing the approved drawings (2) is needed to ensure clarity of what has been permitted. I

note the appellant's comments on the omission of the existing site plan from the list of approved plans, however it is not necessary to include the existing site plan as the proposed site plan contains a location plan.

28. Following comments from both parties, I have imposed a condition which requires the development to be carried out in accordance with the materials detailed in the submitted Street Hub Product Statement (V2.0, September 2024). This condition is necessary in the interests of visual amenity.
29. A condition requiring the removal of the two existing BT phone boxes within three months of the commencement of development has been attached as this reflects the proposal as submitted and ensures there would be no excess clutter on the street (4).
30. In Appeal B, all advertisements granted express consent are subject to the five standard conditions set out in the Regulations. In addition to these, to prevent visual intrusion it is necessary to apply a condition (1) to control the illumination of the advertisements so they do not stand out significantly from the background illumination in the street, particularly during darkness.
31. Conditions to ensure there are no moving images (2); the minimum display time is 10 seconds with the interval between successive displays being instantaneous and that the display will freeze or switch off in the event of a malfunction (3); and that no content on the display shall resemble a traffic sign (4), have been imposed. These are all necessary to avoid the risk of distraction to passers-by.

Conclusion

32. For the reasons given above, and taking into account all matters raised, both Appeal A and Appeal B are allowed.

R Major

INSPECTOR

SCHEDULE OF CONDITIONS

Appeal A Ref: APP/Q4245/W/25/3363942

- 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:
 - TRF-102 Proposed Site Plan (Rev. B);
 - TRF-102 Proposed Site Elevation (Rev. B);
 - BT Street Hub Unit Dimensions
- 3) The external surfaces of the hub hereby approved shall accord with the materials detailed within the submitted Street Hub Product Statement (V2.0, September 2024).
- 4) Within three (3) months of development commencing, the two existing BT payphone boxes indicated for removal on plan ref: TRF-102 Proposed Site Plan (Rev B), shall be removed in their entirety and the land made good to the same condition as the adjacent land.

Appeal B Ref: APP/Q4245/H/25/3363943

In addition to the five standard conditions in the Regulations:

- 1) The intensity of the illumination of the two digital display screens permitted by this consent shall be consistent with the guidance set out in the Institute of Lighting Professionals (ILP) publication: "The Brightness of Illuminated Advertisements including digital displays" (PLG05, 2023) (or its equivalent in a replacement Guide), and shall not exceed 600 candelas per square metre (cd/m²) between dusk and dawn.
- 2) The digital display screens shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).
- 3) 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 freeze the image or switch off the screen in the event of a malfunction.
- 4) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

END OF CONDITIONS