
Appeal Decisions

Site visit made on 14 July 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5 August 2025

Appeal A Ref: APP/Q4245/W/25/3362837

Pavement Adjacent To 2 The Mall, Sale M33 7XZ

- 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 Simon Warner on behalf of BT Group PLC against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 115207/FUL/24.
 - The development proposed is Installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of unit.
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Appeal B Ref: APP/Q4245/H/25/3362838

Pavement Adjacent To 2 The Mall, Sale M33 7XZ

- 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 Simon Warner on behalf of BT Group PLC against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 115207/FUL/24.
 - The development proposed is Installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of unit.
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Decisions

1. Appeal A is dismissed and Appeal B is dismissed.

Preliminary Matters

2. Appeal A relates to the refusal of planning permission for the proposed communication hub. Appeal B relates to the refusal of advertisement consent for the digital signage which would be an integral part of the hub proposed in Appeal A. I have combined the appeals into a single decision letter as they are intrinsically linked and raise similar issues, however I have considered each on its individual merits.
3. In relation to Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 stipulate that control may be exercised only in the interests of amenity and public safety. Therefore, whilst the development plan policies referred to by the Council are not determinative, I have taken them into account where relevant.

Main Issues

4. In relation to Appeal A the main issue is the effect of the proposal on the character and appearance of the area.

5. In relation to Appeal B the main issue is the effect of the advertisement on the amenity of the area.

Reasons

6. The area is a bustling shopping environment with a mix of retail, eatery and other commercial uses on both sides of the pedestrianised street. The appeal site is located at a busy pedestrian crossroads. I saw that a wide range of street furniture can be found in the vicinity, as would be expected in such an area. This includes street trees, planters, public seats, phone kiosks, signage, street lighting and other, existing, digital advertising hubs.
7. The proposal would be of substantial size, being over 2 metres in height and of notable width resulting in a rectangular, boxlike structure. Its position, although within a wide area of pedestrian circulation space, would be close to a number of existing elements of street furniture. Consequently, whilst the proposal would be located within an overtly commercial area, it would nevertheless contribute to a sense of clutter, particularly when seen in conjunction with other existing digital advertisement hubs, of which I saw there were several within a relatively small area. Furthermore, the size, form and orientation of the proposed hub would lead to it appearing as an imposing and prominent feature within the street.
8. It is stated that two existing telephone kiosks would be removed and replaced by the appeal proposal. However, there is no evidence before me to indicate that the removal of the existing structures is wholly dependent on the installation of the proposal. Moreover, the proposed hub would not be situated in precisely the same location as the existing kiosks and it has not been shown that the removal of the kiosks would be required in order to facilitate the proposal. Accordingly, there is little certainty that they would be removed. While I acknowledge that the removal of the kiosks would lead to the proposal having a broadly neutral effect in terms of street clutter should this occur, the weight I afford to this is limited in this instance.
9. The proposed LCD screen would display advertisements comprising commercial and public messaging. These would change on a rotational basis at frequent intervals. The addition of a further digital advertisement, in an area where there is already a proliferation of such advertisements, and where such advertisements are illuminated and frequently changing, would, despite the commercial character of the street, lead to an excessive level of digital advertising such that it would harm the amenity of the area. This would be particularly so as several of the digital advertisements would be visible in a single view when travelling along the street. The proposal would, therefore, lead to harm to the character and appearance of the area.
10. In view of the above, I conclude that in respect of Appeal A, the proposal would cause harm to the character and appearance of the area. In relation to Appeal B, by reasoning applies equally to the effect of the proposed advertisement on amenity. As a result in relation to Appeal B, the proposal would have an unacceptable and harmful effect on amenity.
11. Consequently, both Appeal A and Appeal B would conflict with Policy JP-P1 of the Places for Everyone Joint Development Plan (2024) where it requires, 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 and incorporates quality public realm.

Other Matters

12. I have had regard to the excerpts from other Inspector decisions¹ within the evidence, however these examples appear to be located in other settlements and are likely to have taken account of site specific circumstances. Therefore, they are not wholly comparable to the case which is now before me, and my decision is based upon the particular characteristics of this locality.
13. With regard to Appeal B, the Council has not suggested the proposal would affect public safety and I have no reason to disagree.

Balance and Conclusion

14. Paragraph 119 of the Framework indicates that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social wellbeing. The Framework also seeks to support the expansion of electronic communications networks.
15. The proposed hub would be solar powered and would incorporate a means of contacting the emergency services, along with access to public Wi-Fi, device charging and environmental sensors. There is also potential for the proposed interactive screen to be made available to the Council and emergency services for public service messaging. It is also stated that the hub could also provide additional 4G and 5G coverage in the future if required by operators.
16. While these would all be benefits of the proposal, it has not been shown that they could not be otherwise delivered either in an alternative form or at an alternative location, and in the case of 4G and 5G provision, there is no certainty that this would be delivered at all.
17. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. As a result, many of the stated benefits cannot be taken into consideration in my decision for Appeal B. Nonetheless, even if I were to accept that the use of the advertisement to display emergency messages and public messaging campaigns was a public safety matter relevant to the control of advertisements, the benefits derived from it would not overcome the harm to amenity that I have identified.
18. For the reasons given above, the proposals subject to Appeal A and Appeal B would harm the character and appearance and amenity of the area, and in the case of Appeal A, would conflict with the development plan when read as a whole. Whilst the proposals would offer public benefits, these would not outweigh the harms identified. Accordingly, I conclude that both Appeals A and B should be dismissed.

C Harding

INSPECTOR

¹ APP/Z5630/H/18/3209488 and APP/N5660/Z/22/3295689