



---

## 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/25/3363934**

#### **Footpath Adjacent to 129-130 Stretford Mall, Chester Road, Stretford M32 9BH**

- 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 115211/FUL/24.
  - The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit
- 

### **Appeal B Ref: APP/Q4245/H/25/3363936**

#### **Footpath Adjacent to 129-130 Stretford Mall, Chester Road, Stretford M32 9BH**

- 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 115212/ADV/24.
  - The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit
- 

## Decisions

1. Appeal A is allowed and planning permission is granted for installation of 1no. BT Street Hub Unit at footpath adjacent to 129-130 Stretford Mall, Chester Road, Stretford M32 9BH in accordance with the terms of the application, Ref 115211/FUL/24, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: TRF-104 Proposed Site Plan (Rev. A); TRF-104 Proposed Site Elevation (Rev. A); associated 1:1250 Location Plan; and BT Street Hub Unit Dimensions
  - 3) The external surfaces of the development hereby approved shall accord with the materials specified within the submitted Street Hub Product Statement (V2.0, September 2024).
2. Appeal B is allowed and express consent is granted for display of advertisement panels on either side of BT Street Hub Unit at footpath adjacent to 129-130

Stretford Mall, Chester Road, Stretford M32 9BH in accordance with the terms of the application, Ref 115212/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 condition:

- 1) The intensity of the illumination of the illuminated sign permitted by this consent should not exceed 600 cd/sqm during the hours of darkness.

### **Preliminary Matters**

3. The address on the appeal forms differs from that used on the planning application forms, however it has been clarified that the address on the appeal forms is correct, and I have therefore used this in these decisions.
4. Appeal A relates to the refusal of planning permission for the proposed street hub ('the 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.
5. The description provided in relation to Appeal A also makes reference to the proposed advertisements. However, as consent for these lies outside of the scope of this appeal, I have amended the description of Appeal A to omit reference to them. Similarly, the description provided in relation to Appeal B includes reference to the installation of the hub, permission for which lies outside the scope of Appeal B. I therefore amended the description of this proposal to omit reference to this.
6. In relation to Appeal B, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 ('the Regulations') 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**

7. The main issue in respect of Appeal A is the effect of the proposal upon the character and appearance of the area.
8. In respect of Appeal B, the main issue is the effect on amenity.

### **Reasons**

9. The appeal site is an area of footway located adjacent to Chester Road, which is a major thoroughfare. The proposal would be situated to the front of an existing building which forms part of Stretford Mall, which is a large commercial complex. The immediate area includes a degree of street furniture, including a bus shelter with advertisements, street lighting and signage, and while not cluttered, street furniture forms part of the character of this predominantly commercial area.
10. The appeal proposal would be a substantial structure of boxlike form. As a result of its size and digital advertisements, it would undoubtedly be a prominent feature. However, it would not represent a proliferation of such structures, and would be seen in the context of a modern commercial area within which businesses have varying degrees of signage. On this basis it would not be harmful to the character and appearance of the area.

11. I understand that a number of planning permissions have been granted in relation to the regeneration of Stretford town centre immediately to the west of the appeal site. The Council has indicated that the proposal would be located close to a junction of pedestrian thoroughfares. However, the only evidence before me in this regard is an extract from an illustrative landscape masterplan. Given the illustrative nature of this drawing, it is unclear whether proposed pedestrian routes have been finalised, and could be subject to change. I saw that although some site clearance works appear to have taken place, that the redevelopment project was not at an advanced stage, and it has not been shown, therefore, that the proposal would lead to unreasonable harm or prevent a coherent redevelopment strategy for the area coming forward.
12. I have been directed to two appeal decisions<sup>1</sup> for similar development which were dismissed elsewhere in the area. I have been provided with limited details in relation to these cases, beyond the cited extracts. However, matters relating to the effect of a proposal upon the character and appearance of an area, are by definition site specific matters of planning judgement, and it has not been shown that the circumstances of the cited cases are wholly comparable to the case which is now before me. Accordingly, none of the cited decisions lead me to reach a different conclusion in respect of the main issues.
13. Furthermore, although the Council may be undertaking work to improve the character and appearance of the A56 corridor, as I have found that the proposals would not be harmful in these respects, my decisions would not compromise this ongoing work.
14. Having regard to all of the above, I conclude that the proposal would not harm the character and appearance of the area, and in the case of Appeal B, would not harm amenity. The proposals therefore accord with Policy JP-P1 of the Places for Everyone Joint Development Plan (2024) which 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.
15. In relation to Appeal B, I have also taken account of the Council's Advertisement Planning Guidelines, and being mindful of my conclusions above, find no conflict with the guidance contained within it.
16. The Council raised concern in relation to the level of weight to be afforded the cited benefits of the proposed hub, however as I have found that it would accord with the development plan in any case, this is not determinative in my consideration. Equally, in relation to Appeal B, I have only considered the question of amenity, and, in any event, I have concluded that the proposed advertisements would not be harmful.

### **Other Matters**

17. The Church of St Matthews is a Grade II listed building ('the LB') located to the south of the appeal site. Although not a matter of dispute between the main parties, I am nevertheless mindful of the duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

---

<sup>1</sup> APP/Q4245/W/24/3348895 and APP/Q4245/W/24/3348900

18. The significance of the LB, insofar as is relevant to this appeal, is derived from its age and imposing gothic revival design and brick construction. The setting of the LB includes its immediate churchyard, with additional views from Chester Road. However, there is significant separation between the appeal site and the LB, with the LB being set back somewhat from the road frontage. As a result, intervisibility would be limited, and the appeal proposal, as set out above, would form an additional part of an already overtly modern urban environment. Given its immediate context of the existing bus shelters and modern road infrastructure, distance and lack of intervisibility, the proposal would have a neutral effect on the setting of the LB and no harm to significance would occur.
19. In addition to the main issues that I have addressed above, a number of additional concerns have been raised by interested parties in relation to the proposals.
20. The footway in the vicinity of the appeal site is wide, and the proposal would not obstruct the movement of pedestrians. Its siting close to a busy highway with street lighting in a commercial area would mean that the any users of the proposal would be subject to a degree of natural surveillance. The Council and Local Highway Authority have not suggested the proposal would affect public safety and I have no reason to disagree. Although it is asserted that digital advertising screens have been associated with crime and anti-social behaviour, this has not been substantiated within the evidence before me.
21. With regard to the potential health effects of any telecommunications equipment within the proposed hub and its compliance with the International Commission guidelines on Non-Ionizing Radiation Protection ('ICNIRP'), the appellant has confirmed that the proposal would not contain any equipment of this nature, such as 4G or 5G transmitters. As no mast or base station is proposed, it is not necessary for ICNIRP self-certification to be provided in this instance.
22. Concerns have also been stated in relation to the effect of the proposal on children and others with longstanding health issues or a disability, including the visually impaired. I have, therefore, had regard to the Public Sector Equality Duty ('PSED') set out at 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 considering the proposal, I have been mindful of the PSED and the needs of all users of the highway and I find that the size and siting of the hub and advertisements would not disproportionately affect people with a protected characteristic. Furthermore, although additional concerns have been put before me in relation to the effects of the proposal upon human health there is no evidence specific to this proposal and location before me, which would substantiate such concerns. As a result, the PSED does not lead me to conclude that the appeals should be dismissed on such a basis.
24. In terms of the effect of the proposal upon climate change, the evidence before me indicates that the proposal would be powered by renewable energy and on this basis, I am satisfied that it would not undermine climate change objectives. Nor is there any substantive evidence before me which would indicate that the proposal would be harmful to biodiversity interests.

25. The use of CCTV within the proposal, along with environmental monitoring and public Wi-Fi and the data protection implications of such equipment and services are matters falling within the control of other legislation, and are not, therefore determinative matters in these appeals.
26. In addition, there is no requirement for the appellant to demonstrate a need for the development and I am mindful of the government's broad support for high quality communications, as set out within the National Planning Policy Framework ('the Framework').

### **Conditions**

27. I have taken account of the Council's list of suggested conditions, and where necessary I have made edits in order to ensure that the conditions meet the relevant tests set out within the Framework and Planning Practice Guidance.
28. In relation to Appeal A, I have attached a standard time limit condition (1) and a condition setting out the approved drawings (2). These are required in the interests of clarity. I have attached a condition (3) requiring the proposal to be constructed in accordance with the cited details in relation to proposed materials. Given the level of detail provided, a condition requiring further submission of such details would be unreasonable. The condition is required in the interests of the character and appearance of the area.
29. In relation to Appeal B, the consent is granted subject to the five conditions set out in the Regulations and it is not necessary to repeat or reattach them. I have also attached an additional condition (1) relating to the maximum illumination level of the proposed advertisements during darkness hours in the interests of the amenity of the area. The Council also suggested that a similar condition be attached in relation to Appeal A, however such a condition would be unnecessary duplication, and I have, therefore, omitted it.

### **Conclusion**

30. The proposed hub would accord with the development plan as a whole, and there are no material considerations that would lead me to reach a decision other than in accordance with it. I therefore conclude that Appeal A should succeed. In addition, I have found that the proposed advertisements would not be harmful to the amenity of the area, and therefore Appeal B succeeds also.

*C Harding*

INSPECTOR