



Appeal Decisions

Site visit made on 5 August 2025 by T Morris BA (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th October 2025

Appeal A Ref: APP/M0655/W/25/3364203

Land Outside 23 Sankey Street, Warrington, WA1 1XG

- 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 Thomas Johnston (NWP Street) against the decision of Warrington Borough Council.
 - The application reference is 2025/00049/FUL.
 - The development proposed is installation of 1 no. new communications kiosk with integrated defibrillator and advertising display.
-

Appeal B Ref: APP/M0655/H/25/3364204

Land Outside 23 Sankey Street, Warrington, WA1 1XG

- 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 Thomas Johnston (NWP Street) against the decision of Warrington Borough Council.
 - The application reference is 2025/00019/ADV.
 - The advertisement proposed is installation of 1 no. new communications kiosk with integrated defibrillator and advertising display.
-

Decisions

1. Both appeals are dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. Both appeals share the same description of development which is taken from the application forms. Appeal A relates to the refusal of planning permission for the communications kiosk. Appeal B relates to the refusal of consent for the advertisement display. For appeal B, the Council has drawn my attention to relevant development plan policies. I have taken them into account as material considerations since the power to control advertisements may be exercised only in the interest of amenity and public safety under the above mentioned regulations. They have not therefore been decisive.

Main Issues

4. The main issues in the appeals are interlinked, and the Council has issued the same reasons for refusal on each. For appeal A they relate to the effect of the kiosk on a) the character and appearance of the area with specific regard to the settings of listed buildings and the Bridge Street Conservation Area (CA); and b) highway safety. For the purposes of the regulations, these translate to the effect of the advertisement element on amenity and public safety respectively.

Reasons for the Recommendation

Character and Appearance/Amenity

5. The appeal site is within the pedestrianised primary shopping area where commercial uses predominate. There is a pleasant open feel to the street scene which contributes positively to the character and appearance of the area. There are some trees and limited low level street furniture such as bollards, waste bins and planters, as well as some outside seating. The uncluttered nature and thus quality of the public realm around the appeal site is further emphasised by the restriction of advertisements mainly to shop front facias and limited projections. Despite my site visit taking place during the day, I could see that illumination thereon was subtle. Where free standing signage was apparent, they tended to be limited to small scale A boards and direction signs.
6. Several grade II listed buildings are nearby. These include Barclay's Bank, National Westminster Bank and the Woolworths building. These are fine examples which feature impressive classical style frontages with high-quality decorative architectural features. They contribute to a strong imposing presence along Sankey Street and in that regard, they make a significant contribution to the historic character and appearance of the townscape. The appeal site is also located close to the edge of the CA. The significance of which is partly derived from its collection of 18th, 19th and 20th Century commercial and ecclesiastical buildings. The properties along Sankey Street mark the origins of the present cruciform street pattern of the 18th and 19th Century commercial streets.
7. Although the kiosk would be located in a mixed-use urban area, due to its overall scale and it being freestanding, it would appear as a prominent and bulky feature. It would be noticeably larger than the generally restrained street furniture on Sankey Street and it would add additional clutter to a largely open area. The digital advertisement panel would cover an excessively large portion of the kiosk and would be overly conspicuous in comparison to the collective modesty and thus unassuming qualities of the other advertisements in the area.
8. The kiosk would be viewed in the foreground of the frontages of the listed buildings, particularly from the direction of The Golden Square shopping centre. Given the overall design and the bulky appearance of the kiosk together with its obvious position in the foreground of the frontages of the buildings, it would harm the way in which the grandness and distinctive architectural features are appreciated along Sankey Street and how they positively influence the historic experience of the public realm at this point. The kiosk would therefore detract from the setting of these listed buildings. The size and level of illumination of the advertisement element would emphasise the kiosks presence in the street and be an exacerbating factor in the installation's heritage effects.

9. Due to its location outside of the CA, the kiosk would be visible more in the foreground of the listed buildings rather than in views into the CA more generally. In terms of views out, the kiosk would be visible from Cairo Street, but it would be seen against a backdrop of more modern development here. Even so, given its close proximity to the group of fine listed buildings which mark the edge of the CA, the proposal would represent a minor erosion to the setting of the CA. I accept that this would not be significantly harmful, but it nonetheless adds to my concerns with regards to the overall effect of the proposal on the significance of heritage assets.
10. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) states that special regard shall be had to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which it possesses.
11. For the reasons set out above, the proposal would not preserve the setting of the aforementioned listed buildings. The effect would be localised but impinging unacceptably on the appreciation of a number of high quality buildings. It would therefore be at the upper end of less than substantial for the purposes of appeal A and the National Planning Policy Framework (the Framework). The harm should be weighed against the public benefits of the development.
12. The communications kiosk would provide a public telephone service including free calls to emergency numbers and designated charities. It would also provide a defibrillator, as well as touchscreen wayfinding with local points of interest. It would be designed with accessibility, durability and security in mind and be kept clean. It could also be used for income generation and public service purposes. I am conscious that there is support for high quality communications infrastructure in the Framework and the development plan. These would, collectively due to their scale and level of influence, be worthy of moderate weight.
13. Reference is also made to the appellant's partnership with Trees for Cities. This involves a tree being planted when a kiosk is removed, but there is no indication before me that this proposal involves such. Furthermore, and aside from reference to a Grampian condition, there is little in the way of compelling evidence to demonstrate how this partnership works in practice and how such things could be insisted upon/controlled through any planning permission. I would therefore give this limited weight.
14. With these in mind, the public benefits would amount to no more than a moderate degree of weight in favour of appeal A. They would not be sufficient to outweigh the less than substantial harm to the identified heritage assets and specifically the special regard I must pay to the desirability of preserving the setting of the listed buildings.
15. In relation to Appeal A, the proposed development would have a harmful effect on the character and appearance of the area, including unacceptably eroding the significance in the settings of both nearby listed buildings and the CA. It would therefore conflict with Policies DC2 and DC6 of the Warrington Local Plan 2023 (WLP). Amongst other matters, these policies require that proposals contribute positively to the local character and the public realm and conserve or enhance the historic environment in Warrington. In regard to appeal B, and for the same reasons, the scheme would be harmful to the amenity of the area. It would accordingly fail an assessment of such under the above mentioned regulations.

Highway/Public Safety

16. I observed some signage on my site visit which indicates that vehicle access is prohibited to this area except for loading between the hours of 07:30 to 10:00 and 16:00 to 18:00. Accordingly, the area is predominantly used by pedestrians and cyclists. The lack of street furniture and the unincumbered nature of the public realm more generally allows for unrestricted movement of pedestrians and cyclists.
17. The kiosk would be located to the side of the pedestrianised area, near to the pillars at the adjacent building and away from the bollards which run along the middle of Sankey Street. Therefore, despite its size, there would still be sufficient space leftover between the kiosk and the surrounding street furniture to allow for the safe movement of pedestrians and cyclists. The pavement would therefore remain largely open and free of obstacles. Given the general absence of structures around the kiosk, a sufficient degree of sight lines and visibility around it would still be available. Furthermore, the use of illumination and changing imagery, while visually striking, would not be unacceptably distracting to the extent that it would result in a significant risk of collisions between all users of the space.
18. If vehicles were to use the space for loading, the gap between the kiosk and the nearby bollards would still be wide enough to allow them to pass through. Moreover, I find it unlikely that vehicles would use this side of Sankey Street since it narrows significantly due to the pillars at the adjacent building. In all likelihood, vehicles would use the section of Sankey Street on the other side of the bollards as this is much wider and seems the more logical route for vehicles to take. I have not been provided with any detailed evidence to the contrary. There is also no compelling evidence that the proposal would have a negative impact upon any statutory undertakers' plant or town centre surveillance.
19. The kiosk would be an additional piece of street furniture in a pedestrianised area. While there are limited details before me of the ways in which it would or would not be experienced by those with a visual impairment, given the generous space of this section of the pavement, there would be sufficient area for pedestrians, including the visually impaired, to pass by without obstruction.
20. For the above reasons, and in relation to appeal A, the proposed development would not be harmful to highway safety. It would therefore comply with Policy INF3 of the WLP which requires that proposals do not result in unacceptable harm to pedestrian movement or the satisfactory functioning of the highway. In relation to appeal B, the proposed advertisement would not be harmful to public safety. As such, it would be acceptable under the regulations in regard to this main issue.

Other Matters

21. In addition to the five standard conditions set out in the above regulations, a series of conditions have been put forward which would restrict the use of moving imagery, control the illuminance and control the timing of images for the advertisement. However, these would not be sufficient to mitigate the adverse effects of the proposal which also relate to the physical installation of the kiosk onto which the advertisements would be mounted.
22. The examples referred to by the appellant all seem to be in different areas across the country and I am not aware of the full circumstances in which they were

installed. In any case, these do not set a precedent, and I have assessed the proposal on its individual merits and its own site-specific circumstances.

23. The Council also refer to the Church of the Holy Trinity, which is a grade II* listed building and is a major landmark in the town centre. However, the church is located a further distance away from the appeal site in comparison to the aforementioned listed buildings. The kiosk would not therefore be viewed in the same context as the church. Considering the significance of the church and the distance between it and the appeal site, I am satisfied that the kiosk would preserve its setting.

Conclusion and Recommendation

24. Whilst I have found in favour of the appeal schemes in regard to the second main issue, this would be a lack of harm and thus neutral. The harms I have found in regard to the first would, in regard to appeal A, result in conflict with the development plan, to which material considerations do not indicate a decision other than in accordance therewith. For appeal B, and the same main issue, the proposal would fail an assessment under the relevant regulations. With these matters in mind, I recommend that the appeals be dismissed.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

25. I have considered all the submitted evidence and my representative's report and on that basis the appeals are dismissed.

John Morrison

INSPECTOR