
Appeal Decisions

Site visit made on 29 July 2025 by J Reed MPlan

Decision by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025.

Appeal A Ref: APP/Q4245/W/25/3362841

Footpath at 22 Green Ln, Ashton upon Mersey, Sale M33 5PP

- 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 BT Group Plc against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 115199/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/25/3362842

Footpath at 22 Green Ln, Ashton upon Mersey, Sale M33 5PP

- 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 BT Group Plc against the decision of Trafford Metropolitan Borough Council.
 - The application Ref is 115200/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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Decisions

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

Appeal Procedure

3. 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 Matters

4. The two appeals relate to the same appeal site and to each other. Appeal A relates to the refusal of planning permission for the proposed hub. Appeal B is in respect of refusal of advertisement consent for the digital advertisement display which would be an integral part of the proposed hub. I have considered each appeal on its individual merits, but as they raise similar issues, I have combined these cases in a single decision letter.
5. In respect of Appeal B, Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) and the National Planning Policy Framework (the Framework) state that advertisements should be subject to control only in the interests of amenity and public safety. With respect to

appeal B, the development plan policies referred to by the Council are not determinative, but I have taken these into account as a material consideration.

6. The Council have raised no objections in relation to public safety. I have no reason to form a different view.

Main Issues

7. The main issue in respect of Appeal A is the effect of the proposed hub on the character and appearance of the area.
8. The main issue in respect of Appeal B is the effect of the proposed advertisement on the amenity of the area.

Reasons for the Recommendations

9. The appeal site is located on a section of pavement situated on Green Lane which is a busy street consisting generally of commercial units. There is a variety of street furniture present on the pavement including a bench, signage and various raised planters which contributes to a pleasant and typical urban environment and public realm.
10. The proposed hub would be freestanding, with an integral advert screen display for advertisements on both sides and is able to provide free Wi-Fi and 5G signal for the general public as well as USB charging.
11. The proposed hub would be located adjacent to the kerb line and, due to the width of the pavement be some distance away from the retail units on this side of the highway. As a result, there would be some distance between the proposed hub and the commercial units; resulting in the hub appearing as a tall, solitary and isolated feature that would be read as a conspicuous structure displaying advertisements. Accordingly, the hub would be a large, prominent, overly dominant feature within the street scene. This impact would be exacerbated by the modern appearance and rotating advertising screen, which further highlights the incongruity of the proposal within its context.
12. Whilst the proposal would not disrupt pedestrian movement on the pavement - apart from its alignment, the proposed digital display would, through its height and appearance, be markedly out of keeping with the rhythm and consistency of the existing low level street furniture surrounding the appeal site.
13. Its position would be close to various street furniture and through the conjunction of its land take and height would result in contributing to a sense of clutter especially when read in conjunction with the amount of street furniture already present.
14. The integrated digital display screen, capable of displaying several static images over time, would draw further attention to the freestanding display, and would be viewed in stark contrast to the static advertisements and signage serving the shops and business either side of the appeal site and within the wider street which are typical of the character and appearance of the area. This prominence would even materialise even if the levels of illumination, and the speed and frequency of image transitions on the display screen were carefully controlled.

15. Overall, even taking into account the commercial surroundings, and that there is existing street furniture present, the proposed digital display would be a visually obtrusive addition within this part of the public realm.
16. I have considered the appellant's suggestions for controlling the luminance and noise levels from the kiosk, including during the night and the frequency of changing the LED display. However, in this particular case these matters would not overcome my concerns with respect to the harm that I have identified.
17. I have reviewed the public benefits put forward by the appellant including but not limited to the provision of free public Wi-Fi, 4G and 5G coverage, use of renewable energy sources, use as USB charging facility, ability to contact emergency services and free advertisement for the council. I also acknowledge that Chapter 10 of the Framework confirms that advanced, high quality and reliable communication infrastructure is essential for economic growth and social well-being as well as supports the expansion of electronic communications networks.
18. However, it is not clear from the information before me to what extent there is a need for the publicly accessible facilities such as public Wi-Fi provision in the area over and above the existing provision. The proposed use of the facility by the Council to promote their initiatives is also not explained in terms of whether this is needed or how it would be delivered. On balance, whilst I recognise that there would be some public benefits from the proposal, I find that they would be ancillary to the advertising aspect and as such only attract limited weight in this decision. I, therefore, am not satisfied that the public benefits identified outweigh the visual harm from the proposal.
19. Accordingly, Appeal A would conflict with Policy JPP1 of the Places for Everyone Joint Development Plan (2024). Which seeks for development to respect the character and identity of the locality.
20. With regard to Appeal B, in accordance with the Regulations, I have considered the provisions of the development plan so far as it is relevant. Policy JPP1 of the Places for Everyone Joint Development Plan (2024) and Policy PG14 of the Planning Guidelines Advertisements SPD both seek to protect visual amenity. As I have concluded that the advertisement would harm visual amenity, Appeal B conflicts with this policy and guidance as well as the amenity aims of the Framework.

Other Matters

21. Removal of the obsolete payphone kiosks in the surrounding area is noted to somewhat reduce the amount of street clutter in the public realm. However, this would not have any direct bearing on the appeal site itself, nor do I consider it would overcome the harm I have identified in regard to the proposal and its impact upon the character and appearance and amenity of the area as I have identified above.
22. The appellant has referred to the presence of other larger street furniture in the surrounding area as precedent for the proposals. However, whilst this may be the case in the wider surrounding area it would not alleviate the harm I have identified in regard to scale and size of the hub and the impact it would have on the amenity of the area surrounding the appeal site.

23. The appellant has made reference to other digital signage elsewhere in the country. Whilst the history relating to these advertisements is not before me, these examples relate to differing contexts to the appeal site due to their geographical locations. Therefore, they do not justify the appeal proposal which would be harmful to the amenity of the area.

Conclusion and Recommendations

24. 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 some minor public benefits, these would not outweigh the harm identified. Accordingly, I conclude that both Appeals A and B should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decisions

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

A M Nilsson

INSPECTOR