



Appeal Decisions

Site visits made on 29 September 2025 and 27 October 2025

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

an Inspector appointed by the Secretary of State

Decision date: 4th November 2025

Appeal A Ref: APP/B4215/W/25/3369549

Footpath outside 931 Rochdale Road, Manchester M9 8AE

- 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 of BT Group PLC against the decision of Manchester City Council.
- The application Ref is 142780/FO/2025.
- The development proposed is described as installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of the unit.

Appeal A Ref: APP/B4215/H/25/3369550

Footpath outside 931 Rochdale Road, Manchester M9 8AE

- 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 Manchester City Council.
- The application Ref is 142781/AOH/2025.
- The advertisement proposed is described as installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of the unit.

Decision

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

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.
5. An initial site visit was made on 29 September 2025. A follow-up site visit was undertaken on 27 October 2025.

Main Issues

6. The main issues in respect of Appeal A are the effect of the proposal on:
 - the character and appearance of the area; and
 - highway and pedestrian safety.

7. Whilst the Council's Decision notice in respect of the advertisement consent does not include a reason for refusal in respect of public safety, in view of the public safety issues raised in both parties' evidence this matter is a main issue in Appeal B. Consequently, the main issues in respect of Appeal B are the effect of the proposed advertisement on amenity and public safety.

Reasons

Character, appearance and visual amenity

8. The appeal relates to a section of pavement on the western side of Rochdale Road (A664), close to the traffic light-controlled junction with Moston Lane and Factory Lane. The appeal site lies within the Harpurhey District Centre, close to the Harpurhey Shopping Centre, and therefore within a commercial setting. I observed that this part of Rochdale Road is active and busy, with people continually passing by on foot, particularly on the opposite side of the highway.
9. The appeal site is adjacent to the Manchester Youth Zone building, a large, modern designed, flat roofed building finished in multi-coloured cladding. On the opposite side of Rochdale Road is a McDonald's restaurant and the rear elevation of an Asda petrol station. To the northeast is a Library building which again is a large, flat roofed building of a contemporary design.
10. Within the immediate vicinity are various items of existing street furniture, including streetlamps, telecommunications cabinets, poles, traffic bollards, traffic lights and metal safety railings separating the highway from the footway. To the south is an existing payphone kiosk. The presence of street furniture is therefore an established characteristic within this commercial area.
11. Additionally, due to the commercial character of the area there are various examples of large advertisements and signage on buildings, as well as large freestanding advertisements, such as the one almost directly opposite at the McDonald's restaurant.
12. The appeal proposal seeks to remove the existing payphone kiosk 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 slightly north of the existing kiosk, further away from the Manchester Youth Zone building but closer to the traffic-light junction. The hub would house features that provide free Wi-Fi, free UK calls, USB charging, access to emergency services and other facilities.
13. The submission also details that two existing kiosks would also be removed from the footpath outside North City Shopping Centre. A photograph of these two kiosks to be removed has been provided, but this is annotated as '*Footpath opposite, 222 Moston Lane, Manchester*'. Having visited 222 Moston Lane I did not observe any telephone kiosks.
14. During my visits I did however observe the two kiosks shown on the submitted photograph. These were located to the south of the appeal site, on the opposite side of Rochdale Road. Given their distance from the appeal site, and their location on a different footway, I found these two kiosks to be visually unrelated to the appeal site. The potential benefits of their removal have therefore not factored into my determination of this appeal.

15. Nonetheless, the existing kiosk directly to the south of the appeal site which is also identified for removal is visually well related to the appeal site. This kiosk has a bulky appearance and its removal, which could be secured by condition, would ensure that the proposal would not increase street clutter in this location.
16. That said I acknowledge the proposed hub would be taller and more modern in appearance than the existing kiosk, and the introduction of illuminated digital displays would increase the prominence of the proposal in comparison to this kiosk. Nevertheless, given the commercial nature of the area and the large scale of nearby modern designed buildings, as well as existing features within the street scene, including large adverts, the increase in height and prominence resulting from the proposal, as well as its more modern appearance, would not be such that it would lead to harm to the visual amenity of the area.
17. Furthermore, given the already bustling, commercial aspect of this area, the proposed hub, as well as the introduction of rotating digital advertisement displays, 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 be harmful to visual amenity or result in an over proliferation in this commercial setting.
18. In view of all the above, I conclude that given the existing commercial context of the surroundings, which includes some large and modern design buildings, as well as the removal of the adjacent telephone kiosk, the proposed hub and adverts would not harm the character, appearance or visual amenity of the area.
19. I therefore find no conflict with Policies DM1, EN1 and SP1 of Manchester's Local Development Framework Core Strategy Development Plan Document (adopted 2012 and amended 2024) (CS), saved Policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester (1995) (UDP) and Policy JP-P1 of the Places for Everyone Joint Development Plan (2024), where they together seek to ensure, amongst other things, that development is appropriate, 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 National Planning Policy Framework (the Framework), which have similar aims.

Highway, pedestrian and public safety

20. The junction of Rochdale Road, Moston Lane and Factory Lane is a four-way junction controlled by traffic lights, with these traffic lights also providing crossing points for pedestrians. As discussed above, during my visits I observed that this part of Rochdale Road is active and busy, with pedestrians using these lights to cross the highways in all directions. I also observed that vehicular movements along Rochdale Road, and through the nearby traffic-light junction, were steady.
21. As mentioned, the proposed hub, with associated advertisement screens on both sides, would be sited closer to this junction than the existing kiosk that is to be removed. It would be clearly visible by vehicles using this junction and due to its orientation, it would be particularly prominent for vehicles travelling north and south along Rochdale Road.

22. When travelling north along Rochdale Road, therefore approaching from the south, the highway changes from a single lane carriageway to two lanes close to the junction. At first this additional lane allows vehicles to turn right into Walter Street, located to the south of the junction. Once beyond this turning into Walter Street this lane then allows vehicles to turn right at the main traffic light junction.
23. As such, when approaching this junction from the south drivers need to pay attention to the traffic lights and any pedestrians at the junction; vehicles turning into, or joining from, Walter Street; and ensure they manoeuvre into the correct lane whilst having regard to other vehicles potentially changing lanes. Therefore, I find the demands upon a driver's concentration as they approach this junction to be high, particularly if they are unfamiliar with the area and road layout.
24. As vehicles approach the junction from this direction the proposed hub would be positioned before, but close to, these traffic lights. As a result of its set back on the pavement the hub would not obscure direct views of the traffic lights.
25. However, it would be prominently positioned as road users approach this junction. I find its location so close to the lights could attract and divert the attention of road users at an important time when they need to be concentrating on the activities taking place at the junction ahead, to the detriment of highway safety.
26. In coming to this view, I acknowledge that there are existing freestanding adverts in this area. However, these existing adverts are static, whereas the adverts on the hub are digital and would rotate. As such, when the image on the digital display changes, it would inevitably add to the demand on drivers' attention as they navigate this section of the highway.
27. In addition, when travelling from the north, and therefore heading south along Rochdale Road, the proposed hub would be positioned behind the traffic light situated at the corner of Rochdale Road and Factory Lane. The hub would not block direct views of this traffic light.
28. Nevertheless, the proposed elevation plan does not annotate the location or height of this existing traffic light in comparison to the proposed hub and I saw on site that the existing kiosk is prominently visible behind and below this traffic light when viewed from the north.
29. Based on the information before me, even whilst positioned behind this light, I find that the installation of a taller hub, with rotating digital images, could disrupt and confuse road users as they approach and observe this traffic light from the north, especially as the image on the digital screen changes.
30. Whilst I am aware that this is not the only traffic light visible to traffic approaching from this direction, it is this traffic light that would likely be used by road users when turning right onto Factory Lane, against the oncoming traffic from the south. As such, any disruption to a road users' concentration, or any confusion caused by an image change on the digital display, whilst they are looking at this traffic light could lead to highway safety issues with oncoming traffic.
31. I am cognisant that the proposal has been designed to accord with best industry practice and technology would be used to control the luminance level, the transition of images and that no moving images would be utilised. Planning conditions could be imposed to control these matters. Nevertheless, the proposed digital

advertisement, with its rotating images, would represent a more prominent and distracting feature in comparison to the existing kiosk.

32. In view of the above, I find that there is potential for drivers to focus on the proposed hub and advert, or be distracted and confused by it, at a critical period as they approach this junction. The proposal could therefore result in, or contribute to, a lapse in driver concentration or driver error which would pose a threat to their own safety and that of other road users, including pedestrians.
33. In coming to this view, I accept there are factors which assist with road safety in this predominantly commercial locality. These include the well-lit, relatively straight and flat nature of the highway. Nonetheless, for the reasons given, the combination of its size, design and the changing imagery of the digital advertisement, alongside its siting close to traffic lights at a junction where drivers need to concentrate on several factors, leads me to conclude that the proposal would have an unacceptable impact upon highway, pedestrian and public safety.
34. I have taken account of the existing kiosk that is to be removed in reaching my conclusion. However, for the reasons given, the visual effects, and in particular the changing images on the proposed advertisement, differs from those currently provided on the kiosk, as well as other signs I observed in the area. The existing kiosk and advertisements do not therefore share the same potential to draw road users' attention as the proposal. The presence of the existing kiosk and other advertisements is therefore of limited weight in my determination on this main issue.
35. I have also considered that the Planning Practice Guidance (PPG) acknowledges that all advertisements are intended to attract attention and that there are less likely to be road safety problems if the advertisement is on a site within a commercial locality. However, the PPG also states that proposed advertisements at points where drivers need to take more care are more likely to affect public safety.
36. The Council has also raised concerns in respect of the proposed hub and associated adverts compromising views and distracting pedestrians as they cross the road. However, I observed that the symbols advising pedestrians when to cross the road are located below eye level on the 'Push and Wait' panels affixed to the traffic light poles. As such, I do not find that the proposal would compromise views or distract pedestrians as they observe these symbols when crossing the road.
37. In view of all the above, I conclude that the siting of the proposed hub close to the traffic light at the nearby junction would be harmful to highway, pedestrian and public safety. The proposal therefore conflicts with CS Policies DM1 and SP1, where they together seek to ensure that development has regard to road and community safety. The proposal would also be contrary to the highway safety provisions of the Framework.
38. In coming to my conclusion, I have also taken into consideration paragraph 141 of the Framework in so far as it is material in respect of its aim of controlling advertisements in the interests of public safety.

Other matters

39. I note the Council's reasons for refusal in respect of the proposed hub refer to conflict with UDP Policy DC17.1. This policy states that applications for telecommunications developments will normally be approved if the Council can be

satisfied that the development has been sited and designed to minimise its impact on residential amenity and in environmentally sensitive areas.

40. From my observations on site and the evidence that is before me, I find that the proposal would not result in any harm to the living conditions of nearby occupiers, and no evidence has been provided to demonstrate that the appeal site is within an environmentally sensitive area. As such I do not find UDP Policy DC17.1 to be determinative in respect of the main issues raised in this appeal.
41. Both parties have drawn my attention to a number of allowed and dismissed appeal decisions¹ for hubs and associated advertisements throughout the country. Whilst I have had due regard to these decisions, issues relating to the impact of a proposal upon the character, appearance and visual amenity of an area are matters of planning judgement based on the site-specific circumstances and surroundings.
42. In this regard, I have been provided with limited information in respect of these appeal decisions that would enable me to draw any direct comparisons with the appeal site and scheme before me. These decisions therefore carry limited weight in my determination of this appeal.

Planning Balance

43. I have had due regard to the benefits of the proposal. In respect of Appeal A, paragraph 119 of the Framework states that an advanced, high quality and reliable communication infrastructure is essential for economic growth and social well-being. The Framework also seeks to support the expansion of electronic communication networks. The hub would therefore support the Government's aim of improving digital infrastructure.
44. The proposal would include ultrafast public and encrypted wi-fi, access to public services, multiple accessibility options, secure power-only USB ports for rapid device charging, free phone calls, a direct emergency call button, community and emergency awareness messaging, and environmental sensors to measure air quality, noise and traffic. The hub would also provide improved 5G coverage to local communities through the installation of small cell mobile connectivity providing faster and more reliable connection for calls and internet access, as well as free screen time for council advertising.
45. The hub would provide some indirect lighting and be powered by 100% renewable carbon-free energy, which is an environmental benefit. I also note the appellant's view that the proposed unit could assist in encouraging shoppers to return to the town centre.
46. Nevertheless, when taken together, I find that all the above-mentioned benefits do not outweigh the harm I have identified that the proposal would have upon pedestrian, highway and public safety.
47. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. As such, most of the proposed benefits put forward by the appellant cannot be taken into consideration in my decision for Appeal B. Nonetheless, even in a scenario whereby I accepted that use of the

¹ APP/Z5630/H/3209488; APP/N5090/Z/22/3296138; APP/N5090/D/22/3296141; APP/N5090/Z/22/3295689; APP/J2373/H/22/3305026; APP/J2373/W/22/3304941; APP/J2373/W/22/3305075; APP/J2373/H/22/3304942 & APP/Z3636/W/25/3361981

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 I have identified to public safety.

Conclusion

48. I conclude that the appeal proposal would not have a harmful impact upon the character, appearance and visual amenity of the area. However, for the reasons given, I have concluded that the proposal would harm pedestrian, highway and public safety.
49. Appeal A therefore conflicts with the development plan taken as a whole and there are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Appeal B would harm public safety.
50. Therefore, for the reasons given, both Appeal A and Appeal B are dismissed.

R Major

INSPECTOR