



Appeal Decisions

Site visit made on 7 November 2025

by **L N Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11th November 2025

Appeal A Ref: APP/B4215/W/25/3369452

Footpath outside 289 Moston Lane, Manchester M40 9WJ

- 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 of BT Group PLC against the decision of Manchester City Council.
 - The application Ref is 142699/FO/2025.
 - The development proposed is the 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/B4215/H/25/3369453

Footpath outside 289 Moston Lane, Manchester M40 9JW

- 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 of BT Group PLC against the decision of Manchester City Council.
 - The application Ref is 142700/AOH/2025.
 - The advertisement proposed is two digital 75 inch LCD display screens, one on each side of the Street Hub unit.
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Decision

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

Preliminary Matters

3. Appeal A concerns the refusal of planning permission to erect a BT Street Hub. Appeal B concerns the refusal of express consent to display advertisements on the Street Hub. I have dealt with each on its own merits, but as they are fundamentally linked and raise similar issues, I have considered them together in my reasoning where possible to avoid duplication.
4. In respect of Appeal B, powers under the Advertisement Regulations shall be exercised only in the interests of amenity and public safety.

Main Issues

5. The main issues are:
 - For both Appeals A and B; the effects of the proposed development on the character and appearance/visual amenity of the area.
 - For Appeal A only; the effect of the proposed development on highway safety.

Reasons

Character and Appearance / Visual Amenity

6. The site lies within a straight stretch of footpath along Moston Lane, in a busy local centre with shops and commercial units on both sides of the road. This footpath is approximately 4.8m wide and is relatively uncluttered, but with a grouping of a bin, post box, and cabinet to the east of the appeal site, and a bus stop column to the west. Sited further away there are also lighting columns, traffic signs, and a street tree. The adjacent section of highway incorporates double yellow lines and bus stop demarcation.
7. The proposal is for a Street Hub unit set back 0.5m from the carriageway edge, at 2.9m high, 1.2m wide, and 0.36m deep, comprising a black aluminium cabinet with LED screens on its east and west elevations. These would display static advertisements with images changing every 10 seconds. Other connectivity functions would also be incorporated.
8. Many of the nearby commercial units incorporate active shop frontages and signage, creating a clear commercial character. However, this advertising is restricted to fascias and frontages, whereby the introduction of an illuminated structure within the footway would be incongruous. The Street Hub would introduce additional clutter, and unlike the existing street furniture, its height and width would block the relatively open views along the street. Its dark colour and solid massing would be highly visible and obtrusive. As such, it would be disproportionately large and overbearing in the streetscene, particularly due to the relatively narrow width of the pavement.
9. This overall prominence and intrusiveness would be further heightened due to the illumination and changing images of the advertisements on both sides, particularly during hours of low natural light or darkness. This would not be sufficiently mitigated by the suggested conditions for matters such as restrictions on the display and transition of images, and for illumination levels to accord with relevant standards.
10. Overall therefore, the proposal would harm the area's character and appearance, and visual amenity. In accordance with the Advertisement Regulations, I have taken into account the provisions of the development plan for Appeal B only so far as they are relevant to visual amenity. The proposal would conflict with the Manchester Core Strategy Development Plan Document (CS) Policies DM1, EN1, and SP1, the Places for Everyone Joint Development Plan Document 2022 to 2039 (PfE) Policy JP-P1, and the Unitary Development Plan Saved Policies DC15.1, DC15.2, and DC17.1. Together and amongst other matters, these aim for development to have regard to and protect the character of the surrounding area and visual amenity, through appropriate design, siting, form, and massing, and for telecommunications development to be sited and designed to be unobtrusive and to minimise its impact in scale with the locality.

Highway Safety

11. The Council considers that in the absence of sightline drawings to demonstrate otherwise, the proposal would be a distraction to drivers along Moston Lane. It may obscure pedestrians, particularly at the existing bus stop.

12. Moston Lane is straight, and buses in particular would be travelling slowly due to the proximity of the bus stop. However, there are no formal crossing points on this section of Moston Lane, which contains bus stops on either side and a busy post office and ATM. Pedestrians are therefore likely to regularly opportunistically cross this road, potentially in haste. As such, and particularly due to the Street Hub's proposed position close to the carriageway edge, there would be the potential for blocked sightlines between pedestrians and vehicles, including buses. This could lead to highway incidents. In the absence of detailed evidence to refute these potential sightline impacts, it is reasonable to take a precautionary approach to such highway safety matters.
13. The proposal under Appeal A would therefore be harmful to highway safety. It would conflict with the CS Policies DM1 and SP1, and the UDP Saved Policy DC15.1, which cumulatively require developments to have no harmful effects on amenity including road safety, and to make a positive contribution to the safety of residents. The decision notice also cites the UDP Saved Policy DC17.1, but as this does not reference highway safety, I do not find it directly relevant.

Other Matters

14. The Council has identified no potential harmful public safety impact with relation to the advertisements under Appeal B, and I see no reason to conclude otherwise.
15. Multiple electronic communications infrastructure benefits are suggested in support, including replacing and rationalising the existing network of payphones, free wi-fi and charging, 5G small cell mobile connectivity, environmental sensors, and display of emergency and community messaging. The proposed advertising would commercially fund these services, and Street Hubs are powered entirely by renewable energy.
16. With relation to Appeal B, the Regulations state that advertisements should be subject to control only in the interests of amenity and public safety. Alongside the National Planning Policy Framework ('the Framework') (2024) and the Planning Practice Guidance, there is no indication that any of these suggested benefits can be taken into account and so I have not considered them within my decision.
17. I take these benefits of improved communications and updated digital facilities into account for Appeal A, with significant national and development plan support. The Framework paragraph 119 identifies that advanced, high quality, and reliable communications infrastructure is essential for economic growth and social well-being, and that decisions should support the expansion of electronic communications networks, including 5G mobile technology. The PfE Objective 9 aims to improve the capacity and network coverage of digital and telecoms, and its Policy JP-C2 supports the provision of affordable and high quality digital infrastructure, including facilitating the provision of free and secure high speed public wi-fi connections. The UDP Saved Policy DC17.1 also supports telecommunications developments, in recognising the need for Manchester to be at the forefront in the field of telecommunications.
18. However, the Council does advise that Street Hubs will not meaningfully solve urban connectivity issues, with focus instead being on the provision of small cell infrastructure on street lighting. Overall, I give moderate weight to the proposal's stated benefits.

19. The appellant further identifies that if the Street Hub is approved, an existing telephone kiosk on the Moston Lane / Clough Road junction would be removed as a benefit. This would assist to declutter footpaths in the wider area, enhancing visual amenity. However, this is significantly removed from the appeal location and not in eyesight of it, and so would provide no immediate mitigation in the streetscene. I therefore give this only very limited weight in support. Another referenced telephone kiosk much closer to the appeal site on Winston Road, has already been removed, and so has no benefit in relation to the proposal before me.
20. Both main parties have presented various Street Hub appeal decisions in support. The specific streetscene context of those proposals are sufficiently different to that before me, that I have not found them to be determinative in this instance.

Conclusion

21. Overall, I find that the benefits identified above would not be sufficient to outweigh the harm which the Street Hub would cause to the character and appearance of the streetscene, and to highway safety.
22. The proposal under Appeal A would conflict with the development plan as a whole. With no other material considerations outweighing this conflict, for the reasons given above I conclude that Appeal A is dismissed.
23. For the reasons given above, I conclude that the display of the advertisements would be detrimental to the interests of visual amenity. Appeal B is therefore dismissed.

L N Hughes

INSPECTOR