



Appeal Decisions

Site visit made on 27 October 2025

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

an Inspector appointed by the Secretary of State

Decision date: 13th November 2025

Appeal A Ref: APP/B4215/W/25/3369525

Footway outside 187 Hollyhedge Road, Wythenshawe, Manchester, M22 8UE

- 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 142717/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 B Ref: APP/B4215/H/25/3369526

Footway outside 187 Hollyhedge Road, Wythenshawe, Manchester M22 8UE

- 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 142718/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 allowed and planning permission is granted for installation of 1no. BT Street Hub Unit and associated advertisement panels on either side of the unit at footway outside 187 Hollyhedge Road, Wythenshawe, Manchester M22 8UE in accordance with the terms of the application, Ref 142717/FO/2025, subject to the conditions in the attached schedule.
2. Appeal B is allowed and express consent is granted for display of 1no. BT Street Hub Unit and associated advertisement panels on either side of the unit at footway outside 187 Hollyhedge Road, Wythenshawe, Manchester M22 8UE in accordance with the terms of the application, Ref 142718/AOH/2025. 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 conditions in the attached schedule.

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.

Main Issues

5. 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.
6. 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

7. The appeal relates to a section of pavement flanked on one side (south) by the main highway of Hollyhedge Road and on the other side by a service road in front of a parade of two-storey properties with a mix of commercial uses at ground-floor level. On the other side of the highway, to the south, is a similar arrangement with a pavement, service road and parade of commercial properties.
8. The immediate vicinity of the appeal site is therefore characterised by commercial uses. However, beyond these commercial parades, the wider area consists of predominantly residential dwellings, with the notable exception being the Manchester College Wythenshawe Campus building, situated to the southeast of the appeal site.
9. The proposal seeks to erect a street hub unit with advertisement panels on either side. The proposed installation would be an upstanding rectangular structure and would house features that provide free Wi-Fi, free UK calls, USB charging, access to emergency services and other facilities.
10. The section of pavement within which the proposed hub would be sited contains various items of existing street furniture, including lighting columns, cycle hoops, a bench, a bin, box planters, a bus shelter, safety railings and traffic lights serving a controlled pedestrian crossing. In addition, the pavement directly opposite also includes a number of these items, as well as several street cabinets. The presence of street furniture is therefore an established characteristic on this section of the pavement, as well as within the wider area in general.
11. Additionally, due to the commercial character of the immediate surroundings I observed various fascia signs, projecting signs and window adverts on nearby premises, as well as A-board signs on footways.
12. Considering the commercial context of the immediate locality, as well as other existing items of street furniture in this area, the siting and appearance of the proposed installation would be broadly in keeping with its surroundings. Its simple, modern design would be compatible with the nearby commercial uses, and I find that the proposal would not represent a stark, visually intrusive or incongruous item, either on its own or in combination with other nearby items street furniture. It would not adversely affect its immediate surroundings.
13. In coming to this view I acknowledge that the hub would be taller than some of the existing items of street furniture on this section of the pavement. Nevertheless,

there are nearby items of street furniture that would be taller than the hub, such as lighting columns and traffic lights.

14. I also acknowledge that the addition of the hub would inevitably result in an increase in visual clutter on this side of the highway. However, in this particular case, given the distance that would be provided between the hub and the nearest existing items, I do not find that the addition of an extra item of street furniture would have an unacceptable impact on the character and appearance of the area within this commercial context.
15. Additionally, given the number of adverts I observed in this commercial setting, subject to conditions to control the images displayed and illumination levels, I can see no harm to visual amenity arising from the size, position and method of illumination of the advertisements on the hub.
16. I note the appellant refers to the proposed removal of the existing phone box at no. 63 Hollyhedge Road reducing street clutter in that location. However, this existing kiosk is located a significant distance from the appeal site and within a more residential setting. As such, I do not consider this existing kiosk to be visually related to the appeal site and the potential visual benefits of its removal have not factored into my determination of this main issue.
17. For the reasons given above, I conclude that the proposal would not result in harm to the character and appearance of the area, and visual amenity, within this commercial setting. 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 E3.3 and DC15 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; upgrades the appearance of major radial and orbital roads; 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.
18. I have also had regard to the principles to produce high quality and inclusive design set out within the Guide to Development in the Manchester Supplementary Planning Document and Planning Guidance (2007) (SPD). Given that I have concluded that the proposal would not harm visual amenity for the reasons given above, I therefore conclude it would not conflict with this guidance.

Highway, pedestrian and public safety

19. To the west of the appeal site is a signal-controlled pedestrian crossing point. The hub would however be sited towards the back of the pavement, and a sufficient distance away from the crossing point to ensure that it would not impede or obstruct pedestrians' views of vehicles on the carriageway as they use this crossing. Additionally, the siting of the hub would ensure that road users views of pedestrians using this crossing are also not obscured.
20. Additionally, given the set back of the hub from the edge of the carriageway, as well as its distance from the access points, I find it would not impact on the visibility of drivers as they exit the service road to join the main highway of Hollyhedge Road.

21. The Council have also stated that the proposal would create a new obstruction on the pavement. However, the submitted plans show a significant distance would be provided between the hub and the edge of the carriageway, with the appellant's statement asserting that this gap would be 3.7m. The Council's submission does not appear to contest this figure.
22. As such, based on the information before me, as well as my observations on site, I find sufficient space would remain to allow for unimpeded access along the footway between the proposed hub and the carriageway. Pedestrians would not therefore be required to leave this footway as a result of the appeal proposal.
23. Furthermore, the Council state that there would be a gap of less than 2m provided between the proposed hub and existing items of street furniture, including the bench, cycle hoops and bus stop. Again however, based on the submitted plans and my observations on site, I judge that a gap of more than 2m would be provided between the proposed hub and these existing items of street furniture. The Council have not provided any evidence that demonstrates otherwise.
24. In making my judgement on this matter I do acknowledge that the plans show the proposed hub would be within 1.7m of the manholes either side. However, these manholes are set flush with the pavement and thus I do not consider them to be items of street furniture that impede or restrict pedestrian access.
25. In any case, even if the hub was located within 2m of existing items of street furniture, I do not consider this would create an unacceptable obstacle, or impact upon pedestrian movement, given the amount of space that would remain available to the side, between the hub and the edge of the carriageway. Consequently, I do not find that the proposal would result in a harmful impact upon pedestrian movements along this footway.
26. In view of all the above, I conclude that the proposal would not be harmful to highway, pedestrian and public safety. I therefore find no conflict with CS Policies T1, DM1 and SP1, where they together seek to ensure, amongst other things, that development has regard to road and community safety, and pedestrian routes and the pedestrian environment. The proposal also accords with the provisions of the Framework where it states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, and the principle of achieving ease of movement within the SPD, which requires street furniture to be positioned to avoid obstacles.
27. 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

28. I note the Council's reason for refusal in respect of the impact of the proposed hub on the character and appearance of the area refers 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.

29. 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.
30. 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.
31. In this regard, I have been provided with limited information in respect of these decisions that would enable me to draw any direct comparisons with the specifics of the appeal site and scheme before me. These appeal decisions, and decisions of the Council, therefore carry limited weight in my determination of this appeal.

Conditions

32. The Council and the appellant have provided some suggested conditions for both appeals which I have considered against paragraph 57 of the Framework, and the advice contained in the Planning Practice Guidance. I have edited the suggested conditions to improve precision and enforceability where necessary.
33. In Appeal A, in addition to the statutory time condition (1), a condition listing the approved drawings (2) is needed to ensure clarity of what has been permitted. I have also imposed a condition which requires the development to be carried out in accordance with the details included within the submitted supporting documents (3). This condition is necessary in the interests of visual amenity, and to ensure that the development operates as per the submitted details.
34. The Council suggested a condition be imposed that requires a verification report to be submitted to confirm compliance with the noise levels detailed within the submitted documents. However, provided that the requirements of condition (3) are adhered to a verification report is not necessary. This condition has therefore not been included.
35. The Council also suggest a condition be imposed requiring the existing kiosk at no. 63 Hollyhedge Road to be removed. However, for the reasons given earlier, I have found that this existing kiosk is not visually related to the appeal site and thus its removal is not necessary to make the proposed development acceptable. This condition has therefore not been imposed.
36. Additionally, the Council has suggested a condition relating to the digital display. These matters have however been covered via conditions attached to Appeal B and therefore have not been imposed on Appeal A.
37. Furthermore, I note within their consultation response Transport for Greater Manchester requested a Construction Traffic Management Plan (CTMP) be employed. Given the limited scale of the proposed development, I find that a condition requiring the submission of a CTMP would not be reasonably necessary

¹ 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/Z3636/W/25/3361981

to make this development acceptable. Consequently, this suggested condition has not been imposed.

38. In Appeal B, all advertisements granted express consent are subject to the five standard conditions set out in the Regulations. In addition to these, to prevent visual intrusion it is necessary to apply conditions (1 & 2) to control the illumination of the advertisements so they do not stand out significantly from the background illumination in the street.
39. Conditions to ensure there are no moving images (3); the minimum display time is 10 seconds with the interval between successive displays being instantaneous and that the display will switch off in the event of a malfunction (4); and that no content on the display shall resemble a traffic sign (5), have been imposed. These are all necessary to avoid the risk of distraction to passers-by.
40. The appellant has suggested additional conditions be attached to Appeal B with respect to any advertisement being maintained in a condition that does not impair the visual amenity of the site, and that any advertisement hoarding or structure is to be kept in a condition which does not endanger the public. These suggested conditions however reflect two of the five standard conditions set out in the Regulations, which are automatically imposed, and therefore do not need to be repeated.

Conclusion

41. For the reasons given above, and taking into account all matters raised, both Appeal A and Appeal B are allowed.

R Major

INSPECTOR

Schedule of Conditions

Appeal A Ref: APP/B4215/W/25/3369525

- 1) The development must be begun not later than the expiration of three years beginning with the date of this permission.
- 2) The development hereby approved shall be carried out in accordance with the following approved plans:
 - 002 - Proposed Site Plan (Rev A)
 - 004 - Proposed Site Elevation (Rev A)
 - BT Street Hub Unit Dimensions
- 3) The development hereby approved shall be installed and maintained at all times thereafter in accordance with the details specified within the documents titled:
 - Street Hub Product Statement (V2.0, September 2024);
 - Street Hubs Anti-Social Behaviour Management Plan (Version 3);
 - Street Hub Noise Management Plan (Version 2)

Appeal B Ref: APP/B4215/H/25/3369526

In addition to the five standard conditions in the Regulations:

- 1) In daylight hours, the intensity of the illuminance of the advertisements shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times be no greater than the recommended maximum daytime luminance values (in cd/m²) set out in Table 10.5 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (2023) (or its equivalent in a replacement guide).
- 2) In the hours of darkness (between dusk and dawn), the intensity of the illuminance of the advertisements shall be no greater than the maximum night-time luminance value (in cd/m²) set out in Table 10.4 within the Institution of Lighting Professionals - Professional Lighting Guide (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (2023) (or its equivalent in a replacement guide).
- 3) The digital display screens shall not display any moving, or apparently moving, images (including animation, flashing, scrolling three dimensional, intermittent or video elements).
- 4) The minimum display time for each piece of content on the digital display screens shall be 10 seconds. The interval between successive displays shall be instantaneous and the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays, and the display will include a mechanism to switch to a blank screen with a black background in the event of a malfunction.
- 5) No content on the digital display screens shall resemble traffic signs, as defined in section 64 of the Road Traffic Regulation Act 1984.

*****End of Conditions*****