



Appeal Decision

Site visit made on 24 November 2025

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2025

Appeal Ref: APP/M0655/W/25/3373224

Roebuck Plaza, Buttermarket Street, Warrington, WA1 2PP

- 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 EE UK Ltd & Hutchison 3G UK Ltd against the decision of Warrington Borough Council.
 - The application Ref is 2025/01078/FUL.
 - The development proposed is the erection of rooftop telecommunications installations and associated ancillary works.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed rooftop installations on the character and appearance of the Buttermarket Street Conservation Area and on the setting of the Listed Buildings along Buttermarket Street.

Reasons

3. Roebuck Plaza is a 5- to 9-storey modern building situated on a corner plot at the junction of Buttermarket Street and Academy Street, on the fringe of Warrington Town Centre. It is situated within the Buttermarket Street Conservation Area (CA), which includes Buttermarket Street, Dial Street and Academy Street. There are a number of Listed Buildings along Buttermarket Street and Dial Street. The proposed telecommunication installations would be set on the roof of the 9-storey element of the building, which is located at the road junction. The apparatus would be housed chiefly in two locations on the roof, each group being surrounded by brick-textured GRP screening on all sides; colour matched to the building. One location would be at the north-west corner of the roof and the other at the south-eastern corner.
4. Policy DC2 of the Council's Local Plan (LP) relates to the Historic Environment and indicates that development proposals that would lead to substantial harm to a designated heritage asset will be refused permission unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm will be weighed against the public benefits of the proposal and permission will only be granted where the

- benefits outweigh the harm. Policy TC1 of the LP states that all development within the Town Centre should where appropriate, ensure the historic environment and heritage assets are sustained, conserved and enhanced.
5. Policy DC6 of the LP indicates that good design should be at the core of all development proposals, having regard to certain specified principles, including that they should respect, sustain and make a positive contribution to local character and distinctiveness within the surrounding area, having regard to scale, height and massing.
 6. Policy INF3 of the LP states that the Council will support proposals for commercially operated telecommunications equipment provided that they comply with the relevant health and safety guidelines and satisfy certain specified criteria, including that: they are supported by the necessary evidence to justify the proposed development; there is no reasonable possibility of sharing existing facilities in the locality; in the case of radio masts, there is no reasonable and more appropriate possibility of erecting antennae on an existing building or other structure; there is no unacceptable harm to the character and appearance of the area, the street scene, or a heritage asset; and that if the site, of necessity, is in a prominent or open location, all practicable measures have been taken in the design and positioning of the proposal to minimise any such harm.
 7. The Council contends that the proposals would result in an unattractive and visually intrusive collection of incongruous and extraneous additions to the rooftop of a prominent building, which would detract from the appearance of the host building, harm the setting of listed buildings in the vicinity and also harm the character and appearance of the Conservation Area. In addition, insufficient information has been provided relating to any potential impact on heritage assets.
 8. The appellants contend that the proposals would not have any significant harmful impact on the character or appearance of the area, and that any adverse impacts would be outweighed by the social and economic benefits that would result from an enhanced telecommunications network.
 9. Roebuck Plaza occupies a prominent site on the eastern fringe of Warrington Town Centre. To the north is an undeveloped parcel of land such that the appeal property is readily visible and a dominant feature when seen from various viewpoints to the north. It falls in height from north to south along Academy Street, such that the northernmost 9-storey element becomes a focal point for views along Buttermarket Street and Scotland Road. Other buildings in the same general view from these roads present a similar design principle to that of Roebuck Plaza, which is a clean rectangular shape, including the modern Cineworld complex on the opposite side of Academy Street.
 10. An earlier application for a similar proposal involving the placing of a number of telecommunication antennae and dishes, along with associated cabinets and cables etc, was refused by the Council in 2024 (reference: 2024/01207/FUL) and subsequently dismissed on appeal (Appeal reference: APP/M0655/W/24/3358028). This amended proposal differs from the earlier version in that the rooftop apparatus would be surrounded by GRP screening on all sides in two distinct blocks – one at the north-west corner of the 9-storey block, and one at the south-eastern corner. These would be some 5 metres high and clearly visible from most directions on the highest element of the building.

11. The submitted documentation includes visualisations of the appeal property, with and without the rooftop apparatus, from various directions and viewpoints. However, these visualisations do not include the amendments to the earlier scheme, which now include the GRP screening. From the submitted plans it would appear that the screening surrounds would, in themselves, be prominent features on the rooftop of the building, which would significantly disrupt the clean lines of the roof that are characteristic of the host property and also of buildings to the west of the appeal property which are also within the Conservation Area.
12. Beyond the appeal property, to the east along Buttermarket Street, are a number of Listed Buildings. With the exception of St Marys Church, these are 2- or 3-storey buildings dating from the late 18th Century on, and are listed for their group value. They are found on both sides of the street. The appeal property is significantly higher than its surroundings and the appellant contends that the proposed roof alterations would not be evident within the same views as the lower Listed Buildings. I disagree, since the general bulk of the screened antennae would still be prominent features of the roofscape that would be clearly visible from various points on Buttermarket Street, and within the same context as the historic environment along the road. They would appear as incongruous on the rooftop and would be harmful to the character and appearance of the Conservation Area and to the setting of the group of Listed Buildings, albeit of a less than substantial nature.
13. Policy DC2 of the LP requires all applications which affect a heritage asset to be accompanied by a Statement of Significance which may form part of a Design and Access statement and/or a Heritage Impact Assessment. The appellants have not provided any Statement of Significance relevant to the siting of the proposals within a Conservation Area and affecting the setting of Listed Buildings.
14. The inspector in the recent appeal referred to above noted that 'in the absence of a Heritage Statement that demonstrates otherwise, I find that the proposal would fail to preserve or enhance the character and appearance of the CA as a whole and would lead to a loss of significance of the listed Church'. In addition, the decision letter stated that the proposal would 'draw the eye away from the Church tower which would diminish the ability to appreciate its significance, thereby failing to preserve the setting of this Listed Building'. I concur with these views and find that the proposed screening would not overcome the points made.
15. I acknowledge that there is agreement on the fact that there would be social and economic benefits from the upgrading of the telecommunication technologies serving the Town Centre. The Council also accepts that there is a need for a permanent installation. The appellants have presented information relating to discounted alternatives to the current appeal site, and I note that one site has been accepted as a backup option should other preferred options fail. This possibility, which is not located within a conservation area, would appear to remain an option for further consideration. Moreover, there would appear to be other possible options available, for sites or mast-sharing, that have not yet been fully considered.
16. Finally, the appellant makes reference to a recent approval on appeal for telecommunications equipment (Ref: APP/H5390/W/20/3260941) in Hammersmith, where the equipment would be located on part of a 7-storey building. Whilst there are some similarities between the cases, there are also significant differences, and I do not consider that the scheme should be seen as a precedent for the current appeal proposal.

Conclusion

17. In conclusion, I find that the proposal would be harmful to the character and appearance of the Buttermarket Street Conservation Area, and to the setting of the group of Listed Buildings along that street. I acknowledge that there would be social and economic benefits resulting from improved telecommunications equipment in the vicinity of Warrington Town Centre, but it would appear that there may well be alternative sites for such development that remain to be fully considered, and that would not have the same harmful implications for the heritage assets of the area. On this basis, the proposal would conflict with Policies TC1, DC2, DC6 and INF3 of the LP, and with policy guidance on telecommunications contained within Section 10 of the National Planning Policy Framework. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR