



Appeal Decisions

Site visit made on 2 December 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal A: Ref: APP/M0655/W/25/3373401

Footpath Outside 20 Winwick Road, Warrington, WA2 7NE

- 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 Verity Cheyne of BT Group PLC against the decision of Warrington Borough Council.
 - The application Ref is 2025/00782/FUL .
 - The development proposed is installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
-

Appeal B: Ref: APP/M0655/H/25/3373402

Footpath Outside 20 Winwick Road, Warrington, WA2 7NE

- 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 Verity Cheyne of BT Group PLC against the decision of Warrington Borough Council.
 - The application Ref is 2025/00769/ADV.
 - The advertisement proposed is two digital 75 inch LCD display screen, one on each side of the Street Hub unit.
-

Decision

Appeal A: Ref: APP/M0655/W/25/3373401

1. The appeal is dismissed.

Appeal B: Ref: APP/M0655/H/25/3373402

2. The appeal is dismissed.

Preliminary Matters

3. The proposals are located on the same site and relate to each other. I have therefore considered the appeals in a single decision letter to avoid repetition. However, I have considered each proposal on its individual merits.
4. At the time of my visit, the existing highways layout in the vicinity of the site differed from that shown on the plans submitted with the appeals. I have based my decisions on the layout of the area that I observed on my visit.
5. In respect of Appeal A, the Council's reason for refusal refers to Policy INF6 of the Warrington Local Plan 2023 (the Local Plan). However, in its Statement of Case, the Council specifies that this is a typographical error and that the relevant policy is

INF3. The appellant has had the opportunity to comment on this. Accordingly, I have had regard to the correct policy.

6. In relation to Appeal B, the reasons for refusal refer to the policies of the development plan. However, the Regulations require that decisions are made only in the interests of amenity and public safety, as appropriate to each case. Therefore, although I have taken the development plan policies into account, they have not been a decisive consideration in my determination of this appeal.

Main Issues

7. The main issues in respect of Appeal A are the effect on the character and appearance of the area, the setting of a Listed Building, highway safety and anti-social behaviour.
8. The main issues in respect of Appeal B are the effect on amenity and public safety.

Reasons

Character, Appearance, Listed Building and Amenity

9. The appeal site is located in an area which contains a mixture of commercial buildings, car parks and a sports stadium, as well as busy highways and junctions.
10. The proposals would be located in an area of open footpath close to a light controlled pedestrian crossing. Although there is a variety of lighting columns, bollards and other highway structures in the area, these are of a slim vertical character. Although there are some freestanding advertisements in the area, including a tower sign associated with a nearby petrol station, these are viewed within the context of the uses they relate to rather than being independent structures within the highway. Even given the highways and other structures in the area, the extent of highway in which the proposals would be located has an open character, which in part derives from the significant separation distance from buildings.
11. Although there is a degree of clutter in the area, the appeal proposals would contrast uncomfortably with the slim vertical appearance of the features closest to the site. Due to its location and orientation, the proposed hub would be a prominent feature in views along the streetscape. Within this context, the proposals would be an obtrusive feature, introducing clutter into what is otherwise an understated and relatively open public realm. The proposed displays would add to this jarring appearance, with the illumination and changing nature of the advertisements drawing the eye.
12. The Council refers to the effect on the setting of the Grade II* Listed Building of the Church of St Ann, and I have had special regard to the desirability of preserving the building or its setting. Although the Council refers to the effect of the proposals on the historic environment around the Church, the setting of this designated heritage asset in medium to longer distance views from the vicinity of the appeal proposals is already compromised by modern commercial development and signage. Due to the separation distance from the Church and intervening features (including the tower sign at the petrol station), I conclude that the proposals would not harm the setting of this designated heritage asset and would in effect preserve it.

13. Notwithstanding my conclusions on the setting of a Listed Building, for the reason stated above, in respect of Appeal A the proposal would lead to significant harm to the character and appearance of the area. In respect of Appeal B, the proposal would lead to significant harm to the amenity of the area. The proposals would therefore be contrary to the character and appearance requirements of Policies INF3 and DC6 of the Local Plan, as well as the National Planning Policy Framework (the Framework) with regards to achieving well-designed places.
14. The proposals would not conflict with Policy DC2 of the Local Plan as I have found that it would not harm the setting of the designated heritage asset of the Church of St Ann, but this does not negate my conclusions in respect of the other harms arising from the proposals.

Highway and Public Safety

15. The appeal proposals would be located in the footway close to the edge of the carriageway of Winwick Road, and in the vicinity of the junction with the busy through-route of the A49. There is a light controlled pedestrian crossing adjacent to the site and the proposals would be located in close proximity to an entrance/exit point of the crossing.
16. The proposed hub would be a solid structure located close to the pedestrian crossing. Due to its bulk and location, the hub would limit the intervisibility of pedestrians approaching and waiting to use the crossing and approaching vehicles. Even allowing for the light controlled nature of the crossing, drivers and pedestrians should be aware of each other's presence in the interests of highway safety, and the effect of the proposal on visibility in the vicinity of the crossing would be severely detrimental to this.
17. Furthermore, the digital screens and the changing nature of the images would also create a distraction for drivers and pedestrians when they should be giving their full attention to passing through this complex area.
18. At the time of my visit, pedestrian movements in the area were very low, although these would be substantially greater when events are being held at the nearby stadium. Due to the proximity to the pedestrian crossing, the proposals would create a barrier to pedestrians using the crossing, which would hamper the flow of pedestrians traversing the carriageway. The proposals would be located adjacent to an open hard surfaced area which would provide further space for pedestrian movements. However, this would not be sufficient to mitigate for the awkward placement of the proposals close to the pedestrian crossing.
19. I am also mindful of the substantial pedestrian flows that would be likely to arise in association with events at the nearby stadium. Any further barrier within the pavement could impede pedestrian movements or deflect them into the nearby carriageway.
20. I conclude that due to the siting and design of the proposals, that Appeal A would lead to significant harm in respect of highway safety and Appeal B would lead to significant harm to public safety. The proposals would therefore be contrary to Policy INF3 of the Local Plan with regard to pedestrian movement and the satisfactory functioning of the highway. The proposals would also be contrary to the Framework which seeks to prevent development which would have an unacceptable impact on highway safety.

Anti-Social Behaviour and Public Safety

21. There is a CCTV camera close to the appeal site, and the Council has raised concern that the hub may block views from the camera. However, the camera is not operated by the Council and no evidence has been provided in relation to whether views would be blocked. The role of the CCTV has also not been demonstrated, such as whether it relates to anti-social behaviour or the monitoring of crowds associated with the nearby stadium.
22. The Council submits that the hub could conceal criminal activity and refers to appeal decisions in Bristol¹ where anti-social behaviour was a factor in dismissing the appeals. In those cases, the Inspector referred to a significant volume of criminal incidents reported close to the appeal sites. However, in the appeals before me no evidence of significant criminal or anti-social behaviour in this location has been provided. Therefore, even if views from the CCTV would be blocked, there is no substantive evidence that this would lead to an increase in anti-social behaviour. I have also had regard to the evidence provided by the appellant on this issue, including an Anti-Social Behaviour Management Plan.
23. Based on the evidence before me, it has not been demonstrated that the proposals would lead to an increase in anti-social behaviour or would harm public safety in respect of that issue. The proposals would therefore not conflict with the security considerations of Policy DC6 of the Local Plan or the Framework with regard to promoting safe communities.

Other Matters

24. I have had regard to the benefits identified by the appellant. These include Wi-Fi and connectivity, access to public and emergency services, device charging, environmental and traffic monitoring, as well as council, community and emergency services messaging. However, many of these benefits are already available as part of general service provision, and may also be provided by infrastructure of a more appropriate design and location. In respect of Appeal A, these benefits therefore carry limited weight in favour of the appeal proposals, and they do not outweigh the significant harm I have identified. In respect of Appeal B, advertisements should be subject to control only in the interests of amenity and public safety, and these benefits therefore weigh neither for nor against the appeal.
25. The appellant refers to the removal of a phone box elsewhere, although 2 different locations are given. These kiosks are of an unkempt appearance, and their removal would be a benefit in respect of the appearance of the area. However, these kiosks are located a significant distance from the appeal site and do not establish a context for the appeal proposals. Based on what I have seen and read the kiosks also do not include illuminated advertisements similar to those proposed, are not as prominent features within the streetscape, and do not form a significant barrier to pedestrian movements. On balance, the benefits from the removal of either or both of the kiosks would not mitigate for the significant harm arising from the appeal proposals.
26. I have had regard to the appeal decisions referred to by the appellant, although it has not been demonstrated that they closely reflect the circumstances of the

¹ Appeal Ref: APP/20116/W/25/3367561 and other appeals

appeal proposals. They do not therefore lead me to a different conclusion on the impact of the appeals before me, which I have determined on their own merits.

Conclusion

27. With regard to appeal A, notwithstanding my conclusions in respect of anti-social behaviour, I conclude that the proposal would conflict with the development plan and the Framework when read as a whole in respect of achieving well-designed places and promoting sustainable transport.
28. With regard to Appeal B, notwithstanding my conclusions in respect of anti-social behaviour and related issues of public safety, the proposal would be detrimental to the interests of amenity as well as public safety in respect of highway safety.
29. For the reasons given, I conclude that both Appeal A and Appeal B should be dismissed.

David Cross

INSPECTOR