
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/25/3373396

Footpath Opposite 32-34 Buttermarket Street, Warrington, WA1 2PJ

- 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 2025/00784/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/25/3373397

Footpath Opposite 32-34 Buttermarket Street, Warrington, WA1 2PJ

- 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 2025/00767/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/25/3373396

1. The appeal is dismissed.

Appeal B: Ref: APP/M0655/H/25/3373397

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. 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.
-

5. 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

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

Reasons

Character, Appearance and Amenity

8. The appeal site is located close to the end of a street which leads through a commercial town centre area, and which is identified as a pedestrian and cycle zone. The area contains numerous elements such as seating, cycle racks, planting, trees, sculptural features, directional signing and lighting columns. Despite the number of features in this area, it appears as a pleasant, open and cohesive area of public realm.
9. There is signage and illuminated advertisements on the facades of buildings, but these are viewed within the context of the commercial frontage of the streetscape rather than projecting into the public realm.
10. Within this context, the proposed hub would be an obtrusive feature, introducing clutter into what is otherwise an attractive and relatively open public realm in the vicinity of the appeal site. Although the orientation of the sign and its alignment with trees would limit its visibility along Buttermarket Street, it would be apparent as an incongruous and prominent feature in views from the south and east of the site. The proposed displays would add to this jarring appearance, with the illumination and changing nature of the advertisements drawing the eye. The appellant refers to the sleek modern appearance of the proposals, but this would do little to mitigate for its incongruous appearance and location within the context of the streetscape.
11. The appellant refers to a free-standing advertisement located on a bus stop near the site. However, this is set at the back of the pavement, and despite its proximity to the appeal site it is in the distinctively different context of a road used by vehicular traffic. The advertisement and bus stop do not therefore establish a context which supports the appeal proposals.
12. 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.

Highway and Public Safety

13. The Council emphasises that the area is heavily cycled, and I am mindful that the area is identified as a pedestrian and cycle zone. There are also cycle racks located in the vicinity of the appeal site which indicates that there would be cycling movements across the flow of pedestrians. The proposed hub would be a solid structure located within this mixed pedestrian and cycling zone. Due to its bulk and location, the hub would limit the intervisibility between pedestrians and cyclists passing through this area, with an increased risk of collisions. Despite the existing features in the area, these are low enough or of a narrow enough form which enable intervisibility, and the appeal proposals would be severely detrimental to this.
14. 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

15. In its reason for refusal on this issue for Appeal A, the Council refers to the location of the proposal in the view of CCTV surveillance. However, the comments from the Council's CCTV team indicate that they do not object to the location and alignment of the proposals from a CCTV perspective.
16. Reference is also made to the proximity of the proposals to public houses, and the potential for this to attract vandalism and other antisocial behaviour. However, the evidence suggests that the proposals are of a robust design and will be checked and cleaned every 2 weeks. Although people may congregate around the proposals, for example to access Wi-Fi, this would not be unusual in a town centre area and the evidence suggests that there is adequate monitoring of the area by existing CCTV. Therefore, whilst the location outside public houses may not be ideal, I do not consider that this is sufficient to warrant the dismissal of these appeals.
17. Based on the evidence before me, it has not been demonstrated that the proposals would lead to an undue 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

18. I have had regard to the benefits identified by the appellant. This includes benefits relating to 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 proposal, 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.

19. The appellant refers to the removal of a phone box elsewhere, although few details of this are given. It has not been demonstrated that the kiosk to be removed includes illuminated advertisements similar to those proposed, is as prominent within the streetscape, or leads to significant harm to pedestrian and cycling movements. It has therefore not been demonstrated that the removal of the kiosk would mitigate for the significant harm arising from the appeal proposals.
20. 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 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

21. 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.
22. 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.
23. For the reasons given, I conclude that both Appeal A and Appeal B should be dismissed.

David Cross

INSPECTOR