



Appeal Decisions

Site visit made on 9 December 2025

by **S Brook BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 January 2026

Appeal A Ref: APP/M0655/H/25/3373805

Footpath Outside 747 Knutsford Road, Warrington WA4 1JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (the Act) against a refusal to grant planning permission.
 - The appeal is made by BT Group PLC against the decision of Warrington Borough Council.
 - The application Ref is 2025/00771/ADV
 - The development proposed is 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/M0655/W/25/3373806

Footpath Outside 747 Knutsford Road, Warrington WA4 1JY

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the Regulations) against a refusal to grant express consent.
 - The appeal is made by BT Group PLC against the decision of Warrington Borough Council.
 - The application Ref is. 2025/00775/FUL.
 - The development proposed is Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit.
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Decision

1. Appeal A and Appeal B are both dismissed.

Preliminary Matters

2. There are two appeals on this site, one against the refusal of planning permission and the other against the refusal of advertisement consent. They are intrinsically linked and raise similar issues. To avoid repetition, while considering each on its merits, I have dealt with both in a single decision letter.
3. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material. Therefore, while I have taken account of those policies that the Council considers to be relevant to amenity and public safety, they have not been decisive in my determination of Appeal B.
4. The Council and an interested party have questioned the accuracy of the site address, however no alternative appears to have been agreed by the main parties for use at the application stage. I am satisfied that with the submitted plans, the location of the proposal can be clearly understood, which can be more accurately described as the footpath opposite 757 Knutsford Road.

Main Issues

5. The main issues for Appeal A are the effect of the proposed development upon (a) the character and appearance of the area, and (b) highway safety. The main issues for Appeal B are the effect of the proposed advertisement upon (a) amenity, and (b) public safety.

Reasons

Character, appearance and amenity

6. The appeal site comprises part of the footway to the southern side of Knutsford Road, a two-lane carriageway. Extending to the west of the appeal site is the district centre of Latchford, comprising a commercial area of shops, services and food establishments, all with a range of signage. Freestanding advertisements, some of which are illuminated, are located at the bus stop to the west, the car sales yard opposite, and in the car park of the Bridge Shopping Centre. Street furniture includes lighting columns, road signs and a variable messaging sign for traffic, rows of bollards, cabinets, and bins, while an evergreen tree is within the footway immediately adjacent to the appeal site.
7. Given the busy commercial nature of the area and the prevalence of existing advertisements of varying size, the area is not a particularly sensitive one, with advertisements part of the existing street scene. The proposed installation would not be out of character, given its context. Although prominently positioned at the edge of the footway and a substantial structure at almost 3.0m, it would be slimline and lower in height than the nearby tree and variable messaging sign. As such, it would not appear overly dominant.
8. However, it would be positioned very close to this existing tree, which in turn is sited close to the large variable messaging sign. It would also close the gap that exists between this tree and the line of bollards running adjacent to the footway edge. Visually, there would be very little separation between these features, and so together with them, the proposed installation would form a visual barrier to a wide section of the footway. While a wide part of the footway would remain unaffected, the addition of the proposed installation would result in a cluttered and poorly conceived arrangement of street furniture, which would be harmful to the appearance and visual amenities of the area.
9. While some existing street furniture may not be essential, it is nevertheless existing, and I must determine this appeal based on the present circumstances. I appreciate that such installations are increasingly prevalent throughout the country and that if allowed, this proposal would result in the removal of a phone box at the Bridge Shopping Centre. However, this phone box is some way further along Knutsford Road and so its removal would not assist in reducing the visual clutter described above.
10. My attention has been drawn to the Council's approval of similar installations at the bus stop and car sales yard to the west. However, the former is positioned under the canopy of the bus shelter and has a discrete impact visually. The advertising board at the car sales yard is clear of the footway and is positioned close to only one streetlight. As such, these examples are not comparable to the appeal scheme in terms of the level of resulting clutter, and so they do not provide justification for it.

11. For these reasons, I conclude that the proposal would harm the appearance and visual amenities of the area. LP¹ policies INF3 and DC6, collectively require that new development results in no unacceptable harm to the character and appearance of the area, having regard to scale, height and massing, and contributes positively to the public realm, avoiding unnecessary street clutter. For the proposed development under Appeal A, there would be conflict with these policies. Having taken these policies into account for the proposed advertisement under Appeal B, as I have concluded that the proposal would harm amenity and these policies seek to prevent harm to the appearance of an area, the proposed advertisement conflicts with these policies also.

Highway and public safety

12. Knutsford Road is described by the Highway Authority as a key arterial route, where, in the vicinity of the appeal site, there is a change in character, due to the approach to the district centre. Albeit only a snapshot in time, at my site visit, I observed this area to be a busy one.
13. To the east of the appeal site, the railway bridge crosses over Knutsford Road. Prior to this, there is a signal-controlled junction with three-way pedestrian crossing, where Kingsway Street joins Knutsford Road. The footway within which the appeal site is located is wide, because it extends towards a pedestrian tunnel running through the railway embankment, as well as extending further along Knutsford Road to join the aforementioned pedestrian crossing, after which the footway terminates. The existing tree and variable messaging sign for traffic sit centrally within this footway.
14. LP policy INF3 supports telecommunications development if there is no unacceptable harm to pedestrian movement or the satisfactory functioning of the highway, while LP policy DC6 requires that new development does not result in unacceptable conditions for future users, promotes sustainable, safe methods of transport, permeability and places that are easy to move through.
15. Given the proximity of the proposed installation to the signal-controlled junction and crossing facilities, it would be seen with the associated traffic signals and signage by approaching drivers, particularly from the north and east. Due to its close proximity, its size, and illuminated digital display, it would have the potential to confuse or distract road users, and reduce the effectiveness of traffic signs and signals, in an area where drivers would need to pay particular attention to the road to ensure the safe use of the highway. The imposition of standard conditions to control brightness, the frequency of changes to the display, or moving elements would not be sufficient in these circumstances to address this.
16. While there are similar installations at the bus stop and car sales premises to the west, these are much further away from the junction and so they do not have the same physical implications for highway safety.
17. Additionally, according to the Highway Authority, some pedestrians cross the road near to the appeal site. While I have not been provided with any substantive evidence of this, I have none to the contrary either. From my own observations, I consider that depending on their destination, some pedestrians would be likely to cross here, because it would provide a more direct and quicker option than the

¹ Warrington Local Plan 2021/22-2038/39, (Adopted 2023)

signal-controlled pedestrian crossing further east. Given its proximity to the edge of the footway, the installation itself would reduce intervisibility between pedestrians attempting to cross the road and vehicles approaching from the east, to the detriment of highway and public safety.

18. Additionally, the position of the proposed installation would significantly restrict the available footway to the northern side of the existing tree, leaving only approximately 0.5m to the kerb with access restricted by the nearby bollards, and approximately 0.6m to the tree.
19. I acknowledge that pedestrians could utilise the footway to the southern side of the tree and that this would not be onerous. Nor have I been provided with any precise width requirements for the remaining footway, or substantive evidence that with the proposed installation, the remaining footway would be insufficient for all user groups.
20. However, the resulting arrangement would see a wide section of the footway effectively blocked, and a less direct route for pedestrians heading towards the signal-controlled pedestrian crossing, reducing the ease with which pedestrians move through the area. This arrangement could instead encourage pedestrians to step into the carriageway to pass the proposed installation or encourage more people to cross the road at this point. In either of these scenarios, the installation itself would reduce intervisibility between pedestrians and road users, to the detriment of highway and public safety.
21. For these reasons, the proposed installation would harm highway and public safety. For the proposed development under Appeal A, there would be conflict with policies INF3 and DC6, the purposes of which have been set out above. Having taken these policies into account for the proposed advertisement under Appeal B, and as I have concluded that the proposal would harm public safety, the proposed advertisement conflicts with these policies also.

Other Matters

22. In relation to Appeal B for advertisement consent, the Regulations require that decisions are made only in the interest of amenity and public safety.
23. In relation to Appeal A for planning permission, Paragraph 119 of the National Planning Policy Framework (the Framework) recognises that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.
24. I am advised that the proposed installation would provide ultrafast public and encrypted wi-fi, consolidating coverage from street hubs in the area, provide access to public services, multiple accessibility options, secure power-only USB ports for rapid device charging, free phone calls, a direct emergency call button, community and emergency awareness messaging, and improved 4G and 5G coverage to local communities through the installation of small cell mobile connectivity. The proposed development under Appeal A would therefore support the Government's aim of improving digital infrastructure.

25. Additionally, the proposal would be powered by 100% renewable, it would contain environmental sensors to measure air quality, noise and traffic, and it would provide 876 hours of free advertising to the Council to promote community services such as foodbanks, health, social care and leisure activities. My attention is also drawn to the economic benefits of local advertising to small businesses. These benefits carry weight in favour of the proposed development under Appeal A, and I will return to this matter below.
26. While indirect lighting is suggested as a further benefit of the appeal scheme, the area appeared to be well served by street lighting and so I can afford this benefit little weight.
27. Both main parties have referred to a number of other appeal decisions for similar installations. However, I have been provided with limited information in respect of these other decisions, sufficient to make any meaningful comparisons. In any event, matters of character, appearance and amenity, as well as highway and public safety, require judgement based on the site-specific circumstances in each case.
28. The need for the proposed installation has been questioned. Paragraph 123 of the Framework states that local planning authorities should not question the need for an electronic communications system. The Planning Practice Guidance is clear that consent for adverts cannot be refused because the local planning authority considers the advertisement to be unnecessary.
29. Reference has been made to considerations relevant under the GPDO². These appeals have not been made in respect of the GPDO, and so I have not considered these matters further.
30. While parking on Knutsford Road is restricted, I see no reason why those undertaking maintenance and cleaning tasks could not park nearby and walk to the installation. While users of the installation would be subject to road noise, I have no evidence to suggest that this would significantly impact on the effectiveness of the installation.
31. An interested party has expressed a range of other concerns including: human health, lack of need, wildlife, privacy, anti-social behaviour, and energy use. However, I note that these matters were considered where relevant by the Council at the application stage and did not form part of the reasons for refusal, which I have dealt with in the assessment above. Whilst I can understand the concerns of the interested party, there is no compelling evidence before me that would lead me to come to a different conclusion to the Council on these other matters.

Balance and Conclusion

32. With regards to Appeal A, I have found that the proposed development would harm the appearance of the area and highway safety. While there would be some benefits, the available evidence fails to demonstrate that the same or similar benefits could not be provided by siting the appeal scheme more sensitively in relation to the appearance of the area and highway safety. When taken together, I find that these benefits do not outweigh the harm I have identified. Appeal A therefore conflicts with the development plan when taken as a whole, and there

² Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

are no other material considerations, including the Framework, which suggest that a decision should be made other than in accordance with the development plan.

33. With regards to Appeal B, I have found that the proposed advertisement would harm the visual amenities of the area and public safety. As the Regulations require that decisions are made only in the interest of amenity and public safety, many of the benefits put forward by the appellant cannot be taken into consideration. Use of the advertisement display to show public emergency or other messages would be beneficial to public safety, however this would not be sufficient to address the identified harm.
34. For these reasons, Appeal A and Appeal B are both dismissed.

S Brook

INSPECTOR