

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142703/FO/2025

Date registered valid: 14 April 2025

Proposal: Installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit

Address: Footpath Opposite 961 Oldham Road, Manchester, M40 2FF

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Simon Warner, BT Group Plc

Agent (if any): Mr Martin Brown, Telent

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 5 June 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 20 May 2025

Standard consultations:

Printed: 13 May 2025 Expired: 23 May 2025

Neighbour notifications

Printed: 13 May 2025 Expired: 23 May 2025

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site is located on the southern side of Oldham Road. [961 Oldham Road is located on the northern side of Oldham Road and is therefore directly opposite the application site.] The application site forms part of the pavement situated adjacent to a grassed verge incorporating tree planting. The southern edge of the grassed verge is defined by a low metal railing that also demarcates the carriageways servicing Troydale Drive and neighbouring two storey housing. Existing adjacent street furniture comprises of lighting columns and telephone kiosk and light controlled crossing located to the west of the site. The northern side of Oldham Road comprises several retails and commercial uses and a parcel of enclosed land.



Fig.1 – Views of the application site from Oldham Road.

Description of development

The proposed development involves:

- i. The siting of the street hub structure within the footpath. It would have a north to south orientation and positioned 500 mm from the edge of the grassed verge and 2603 mm from the edge of the kerb to the pavement.
- ii. The proposed hub would have an upright rectangular configuration and dimensions of 2980 mm (high) x 1236 mm (wide) and 360 mm (deep). The hub unit would comprise of a black aluminium cabinet with HD screens with LED backlighting to the east and west elevations (displaying changing images, including advertisements). The hub would incorporate a wi-fi connection and an interactive tablet providing access to local information and services. A telephone would also be integrated into the side elevation of the hub.
- iii. The hubs are intended to replace existing telephone kiosks. The applicant proposes to remove two existing telephone kiosks as part of the development (to the west of the application site and outside 121 Briscoe Lane).

Site history

The application site has no history of applications seeking planning permission or advertisement consent.

Advertising associated with the street hub is considered under advertisement consent application referenced:

142704/AOH/2025 - Two digital 75 inch LCD display screen, one on each side of the Street Hub unit.

Footpath Opposite 961 Oldham Road Manchester M40 2FF

Consultations & Notification Responses

Local residents and businesses – No comments received.

Highways – The following comments have been received:

- i. It is understood that existing telephone boxes would be removed following the implementation of the proposed development, i.e., opposite No.961 Oldham Road and 121 Briscoe Lane respectively.
- ii. Proposed hub would be set back by 2603 mm from the edge of the carriageway.
- iii. Highways have concern that the hub unit may obscure views of pedestrians when approaching the nearby light controlled crossing on Oldham Road. The proposed hub may also adverse sightlines for pedestrians and drivers within the vicinity of the crossing.
- iv. The submission should have been supported with a drawing demonstrating that and appropriate pedestrian visibility splay would be maintain in relation to the pedestrian crossing on Oldham Road.

Transport for Greater Manchester (TfGM) - The following comments have been received:

- i. As a result of the installation and removal works the affected footway should accord with Council standards and specifications.
- ii. The site plan appears to indicate that the apparatus will be installed 2.6 metres from the edge of the carriageway. TfGM would refer to the Local Highway Authority (LHA) to confirm if this is a satisfactory distance from the highway in terms of the risk of vehicle strike and sightline visibility, given the proximity to the pedestrian crossing.
- iii. A minimum footway width of 2 metres (where the apparatus is positioned) should be retained to ensure pedestrian movements are unimpeded.
- iv. Sight line visibility for vehicles, cyclists and pedestrians should be maintained and should not encroached upon by the siting of the apparatus.
- v. Servicing arrangements associated with the apparatus should not impact upon the highway and result in traffic conflicts. Service vehicles should park appropriately and should not use bus lay-bys or footways.
- vi. A construction traffic management plan should be employed as part of the proposals to reduce any likely impacts.
- vii. In terms of the proposed luminance of the LED screens, the application forms submitted alongside each application confirm that the luminance will not exceed 600cd/m2 in an evening. This should be checked against recommendations contained within the Institute of Lighting Professionals Lighting Guide Technical Report 5. Additionally, the LED screens should not feature any moving images.

GM Police Design for Security – No objection.

Cadent - No objection but request and informative (should planning permission be granted, advising of developer responsibilities when undertaking work around gas infrastructure).

Manchester Cathedral - No comments received.

This application is one of 40 applications that have been submitted. Manchester City Council Digital Strategy team have made comments in relation to the applications as follows:

As a user leaves the 150m range, they lose WiFi access. Success of public Wi-Fi delivered in this way depends on density and frequency of similar Wi-Fi devices on streets.

Smart Hubs are an addition to connectivity in the city, but do not meaningfully solve urban connectivity issues.

The Manchester Digital Strategy's focus is on the provision of small cell infrastructure on street lighting rather than through free Wi-Fi installations such as the proposal.

Issues

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended most recently in December 2024. It represents key up to date national policy and is an important material consideration in determining the current application. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'. The purpose of the planning system is to achieve sustainable development. The NPPF states that, to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic objective – Development should contribute to sustainable development by building a strong, responsive and competitive economy that ensures sufficient and appropriate development and supports growth.
- ii. The social objective - Development should support strong, vibrant and healthy communities. It should foster well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.
- iii. The environmental objective – Development should protect and enhance the natural, built and historic environment. Including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy (paragraph 8).

The Framework states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making (paragraph 12). The following aspects of the Framework are relevant

Section 6: Building a strong, competitive economy

Paragraph 85 states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. In this case, the benefits of the proposed infrastructure investment would be outweighed by the harm caused by the siting of the development on the character of the streetscene and visual amenities of the area.

Section 10: Supporting high quality communications

Paragraph 119 discusses the need to deliver advanced, high quality and reliable communications infrastructure due to its essential contribution to economic growth and social

well-being. However, in this case, significant harm caused by the siting and appearance of the hub would take precedence over the above objectives.

Section 12: Achieving Well Designed Places

Provides guidance on achieving well designed places to ensure new development functions well and adds to the overall quality of the area.

Planning Practice Guidance (PPG) - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. The development has been assessed with reference to following aspects of the PPG, which have been positively responded to:

- i. Consultation and pre-decision matters
- ii. Determining a planning application
- iii. Noise

Places for Everyone - The Inspectors' Report on the examination of the Places for Everyone plan was published on 15 February 2024. The Inspectors' Report sets out and justifies their recommendations in relation to the plan, and they have concluded that all legal requirements have been met and that with the recommended main modifications set out in the appendix to their report, the Places for Everyone plan is 'sound'. The nine constituent local authorities will now consider the Inspectors' Report and the adoption of Places for Everyone. The first Council meetings to approve the plan will be Salford and Wigan (28 February). The plan was considered at the Full Council meeting in Manchester on 20 March 2024, and was subsequently approved on 21st March 2024. Given the stage the Plan has reached, the Plan and its policies are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given full weight in the planning balance. The following policies are relevant:

Policy JP-P1 Sustainable Places - Discusses the importance of development on the character and identity of a locality in terms of design, siting, size, scale and materials used.

Policy JP-C2: Digital Connectivity -Encourages the provision of free, secure, high speed public wi-fi connections, particularly in the most frequented areas

For the reasons set out in this report, it is considered the development would be harmful to the character of the area surrounding the application site. This harm would prevent the positive delivery of the objectives of the above policies.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. The development has been assessed with regard to the following policies.

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment.

The development would significantly harmfully affect the character of the streetscene. It would potentially distract pedestrians, drivers and other road users when approaching the light controlled crossing to the detriment of highway safety. The development would thereby fail to accord with policy SP1.

Policy EN 1 (Design Principles and Strategic Character Areas) – Discusses the need to respond positively to opportunities for good design and the enhancement of the overall image of the City. In this case, the development would introduce an incongruous structure that would poorly be related to its context and harmful to the character of the streetscene. Policy EN1 would not, therefore, be accorded with.

Policy DM 1 (Development Management) – States that all development should have regard to the following issues:

- i. Appropriate siting, layout, scale, form, massing, materials and detail. Regard should be given to the potential impact on surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of surrounding area.

The identified harm demonstrates that the above objections would not be accorded with, and the development would thereby be contrary to policy DM1.

Unitary Development Plan saved policies – The following saved policies are relevant to the consideration of the development:

Policy E3.3 (Environmental Improvement and Protection) - Is relevant as the application site is situated on a City Centre radial route. Policy E3.3 confirms the council will upgrade the appearance of the city's major radial and orbital roads and rail routes. It is not considered that the advertisement signage would contribute positively to the character of Oldham Road (as a radial route to and from the city centre). It would also introduce of and overly prominent and visually obtrusive structure, incorporating illuminated signage, to the streetscene. The resulting harm to amenity would be contrary to policy E3.3.

Policy DC17.1: Telecommunications – 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 amenity. In case the installation of the proposed hub would be contrary to policy DC17.1 due to the identified harm to visual amenity and the character of the streetscene.

Policy DC26 (Noise)_states that the Council intends to use the development control process to reduce the impact of noise on people living and working in the City. In particular, consideration will be given to the effect of new development proposals which are likely to be generators of noise.

Positive and proactive engagement with the applicant - An amendment to the DMO, which came into effect on 1st December 2012, requires every decision notice relating to planning permission and reserved matters application to include an explanation as to how the local planning engaged with the applicant. In this case, the principle of the application proposals is contrary to the adopted development plan and are not considered to improve the economic, social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make them acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Principle of the development – The application site is in a setting that incorporates some street furniture. However, the area to the south of the site has a largely open aspect that is characterised tree planting within grass verges, which positively contribute to the character and setting of the neighbouring housing to the south. The adjacent footpaths on Oldham Road are demarcated from Troydale Drive by low railing fencing and, with the exception of lighting columns, telephone kiosk and traffic light controls, the immediate context of the application site has limited visual clutter. There is significant concern that the proposal would introduce an overly large and bulky hub structure that would undermine the described open setting. It would thereby be harmful to the visual and residential amenities of the area. This harmful impact would be exacerbated by the incorporation of the illuminated display of changing images, which would emphasise the presence of the hub in the streetscene. The principle of the development is therefore not supported.

Scale and massing - The harm caused through the introduction of such a visually prominence of the hub would be emphasised by its excessive bulk and massing. The impact of the height of the proposed structure would be significant due to the relationship of the site to neighbouring open space. The combined impact of the height and siting to the hub would lead to the formation of an overbearing and oppressive relationship to the streetscene. The development would thereby be harmful and character and to the amenities of the area.

Siting – The development would introduce a visually obtrusive structure that would undermine the adjacent landscaped setting that positively contributes to the appearance of Oldham Road as important radial route to a from the city centre. The installation of such a visually obtrusive structure would undermine the Council objective of improving the appearance such routes. Due to the configuration of the highway and housing adjoining Troydale Drive, the siting of the hub would significantly affect views of the landscaping adjacent to the application site. The siting (and height) of the proposed hub would also adversely affect characteristic open views up and down Oldham Road. Such circumstances would be harmful to residential amenity and the character of the immediate and wider area.

Highways – In the absence of details confirming sight lines within the vicinity of the nearby light controlled crossing, it has not been demonstrated that the siting of the hub would not harm its safe operation. There is, therefore, significant concern that the siting of the proposed hub may potentially distract pedestrians, drivers and other road users when approaching the light controlled crossing to the determinant of highway safety.

Noise - Given existing background noise levels associated with a busy, mixed-use location adjacent to an arterial route and with reference to the technical data supplied, it is not anticipated that there would be any undue noise impact. Any impact can be effectively controlled through the use of a planning condition in relation to noise limits.

Lighting - Any impact can be effectively controlled through the use of a planning condition in relation to appropriate light levels.

Conclusion – The proposed development would be inappropriately related to its context and would have an unacceptable and harmful impact of residential amenity and the character of the area.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Article 35 Declaration

The principle of the application proposals is contrary to the adopted development plan and are not considered to improve the economic, social or environmental conditions of the area. It is not considered, in this instance, that amendments could be made that would make them acceptable. The applicant's agent was informed of these concerns prior to the determination of the application.

Reasons for recommendation to refuse

1) The proposed development would, by virtue of its scale, siting and appearance, would introduce a disproportionately large, bulky and overbearing structure to the street scene. The development would thereby have a visually intrusive and incongruous relationship to its context, including neighbouring landscaped areas. The development would thereby be harmful to the character and visual amenities of the area and be contrary to policies DM1, EN1 and SP1 of the Manchester Core Strategy for the City of Manchester, saved policies E3.3 and DC17.1 of the Unitary Development Plan for the City of Manchester, policy JP-P1 of Places for Everyone Joint Development Plan and the National Planning Policy Framework.

2) The proposed development has not been supported with satisfactory details to demonstrate that the siting of the proposed hub would not harm or compromise pedestrian and highway safety, including the prevent of visual distraction of pedestrians, drivers and other road users arriving at and departing from traffic light controlled crossing to the west of the application site. The development would thereby be contrary to policies DM1 and SP1 of the Manchester Core Strategy for the City of Manchester, saved policy DC17.1 of the Unitary Development Plan for the City of Manchester, and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Manchester Cathedral
Greater Manchester Police
Transport For Greater Manchester

73 Troydale Drive, Manchester, M40 2FL
Top Flat, 961 Oldham Road, Manchester, M40 2FE
Basement And Ground Floor, 961 Oldham Road, Manchester, M40 2FE
75 Troydale Drive, Manchester, M40 2FL
71 Troydale Drive, Manchester, M40 2FL
975 Oldham Road, Manchester, M40 2FE
963 Oldham Road, Manchester, M40 2FE
69 Troydale Drive, Manchester, M40 2FY
67 Troydale Drive, Manchester, M40 2FY
65 Troydale Drive, Manchester, M40 2FY
63 Troydale Drive, Manchester, M40 2FY

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 50m Buffer -
Manchester Cathedral Ownership
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA