MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	142705/FO/2025
Date registered valid:	14 April 2025
Proposal:	Installation of single black digital communications totem.
Address:	Footpath Outside 15 Oldham Road, Manchester, M4 5EQ
Ward(s):	Piccadilly Ward
Applicant:	Simon Warner BT Group Plc
Agent (if any):	Mr Martin Brown Telent
Case officer:	Sam Elliott Tel: 0161 219 2856 Email: sam.elliott@manchester.gov.uk

Recommendation:	Refuse
Date of recommendation:	**03/06/2025**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 24 April 2025

Standard consultations:
Printed: 24 April 2025 Expired: 16 May 2025

Neighbour notifications
Printed: 24 April 2025 Expired: 16 May 2025

Site notice
Posted: 24 April 2025 Expired: 15 May 2025

Press advert
Published: 30 April 2025 Expired: 21 May 2025

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order:

Description of Area

The proposed development site is at the footpath area outside 15 Oldham Road, located on the southwestern end of Oldham Road where it converges with Great Ancoats Street. Consequently, the site is located at a busy, complex intersection of one of Manchester's major radial routes (Oldham Road) and circulatory traffic routes around the City Centre (Great Ancoats Street/Swan Street). The street scene along Oldham Road is populated by various pieces of street furniture and clutter, consisting of railings, public bins, bollards, a bus stop, crossing buttons, signposts, lighting columns and street trees.

The site is not sited within a conservation area, but is just outside the Smithfield, Ancoats and Stevenson Square Conservation Areas and views of the proposed development site are attainable at their peripheries. In addition, it is within the setting of two Grade II listed buildings at 2-4 Swan Street and 2 Oldham Road.

The proposed development site also sits at the northern edge of the Northern Quarter, which contains a variety of uses including bars, restaurants, cafes, offices, residential apartments, hotel uses, car parking and places of worship. Many of the uses within the Northern Quarter are independent.

Description of Development

The development the installation of a new digital communications kiosk on the footpath outside 15 Oldham Road. The applicant has indicated this would facilitate the removal of 2no. existing telecommunications boxes from the footpath outside 30 High Street.

The proposed kiosk would be freestanding, rectilinear in shape though narrowing towards its base, have a depth of 35cm, a width of 1.23m and a height of 2.99m. It would be with a galvanised steel structure and feature a painted powder coated cladding. Each side would feature a tablet interface and digital HD screen. Proposed plans indicate that the digital totem is to be set back 500mm from the edge of the carriageway.

The digital boards would display full colour advertisements at 10-second intervals, though the advertisements for these boards are subject to a separate application 142706/AOH/2025.

The applicant's supporting statement acknowledges that the proposed kiosk forms part of a "strategic package" of similar devices. To this end, a number of applications for Smart Hubs have been received across the authority:

142693/FO/2025 & 142694/AOH/2025: Footpath Outside 527 Wilbraham Road, Manchester, M21 0UF.
142695/FO/2025 & 142696/AOH/2025: Footpath Outside 13 Grey Mare Lane, Manchester, M11 3DQ.
142697/FO/2025 & 142698/AOH/2025: Footpath Outside 720 Wilmslow Road, Manchester, M20 2DW.
142699/FO/2025 & 142700/AOH/2025: Footpath Outside 293 Moston Lane, Manchester, M40 9WJ
142701/FO/2025 & 142702/AOH/2025: Footpath Outside 346 Palatine Road, Manchester, M22 4HD,

142703/FO/2025 & 142704/AOH/2025: Footpath Opposite 961 Oldham Road, Manchester, M40 2FF
142707/FO/2025 & 142708/AOH/2025: Footpath Outside 335 Hollinwood Avenue, Manchester, M40 0JA
142709/FO/2025 & 142710/AOH/2025: Footpath Outside 1046 Ashton New Road, Manchester, M11 4PE,
142711/FO/2025 & 142712/AOH/2025: Footpath Outside 919 Stockport Road, Manchester, M19 3PZ
142713/FO/2025 & 142714/AOH/2025: Footpath Outside 661 Altrincham Road, Manchester, M23 9AA
142715/FO/2025 & 142716/AOH/2025: Footpath Outside 347 Wilmslow Road, Manchester, M14 6SS,
142717/FO/2025 & 142718/AOH/2025: Footway Outside 187 Hollyhedge Road, Manchester, M22 8UE
142719/FO/2025 & 142720/AOH/2025: Footpath Outside Civic Centre, Simonsway, Manchester, M22 5HZ.
142776/FO/2025 & 142777/AOH/2025: Footpath Outside Sport City ASDA, Ashton New Road, Manchester, M11 4BD,
142778/FO/2025 & 142779/AOH/2025: Footpath Outside 64 Montmano Drive, Manchester, M20 2EB
142780/FO/2025 & 142781/AOH/2025: Footpath Outside 931 Rochdale Road, Manchester, M9 8AE,
142782/FO/2025 & 142783/AOH/2025: Footpath Outside 59 Brackley Avenue, Manchester, M15 4FS
142784/FO/2025 & 142785/AOH/2025: Footpath Outside 473 Kingsway, Manchester, M19 1NR,
142786/FO/2025 & 142787/AOH/2025: Footpath Outside 100 Brownley Road, Manchester, M22 8UD,

Consultations & Notification Responses

Publicity The application was advertised by way of site and press notice. Neighbour notification letters were also sent out to an extensive number of properties and local businesses. No responses were received in response.

Highways Services advise that they do not support the proposed totem due to concerns with the location of the totem positioned immediately adjacent to a signalised junction with pedestrian crossing facilities, impacting line of sight for pedestrians and vehicles.

City Centre Growth and Regeneration advise that digital screens situated-on pavements create obstacles to pedestrians, with specific accessibility impacts for blind or partially-sighted people. Excessive street furniture detracts from the quality of spaces.

Digital Strategy Team advise that 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.

Environmental Health advise that they have no objections.

Design for Security at Greater Manchester Police did not respond to the consultation.

Greater Manchester Pedestrian Service did not respond to the consultation.

Policy

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the adjacent Conservation Areas and Grade II Listed Buildings as well as public safety. The following policies are considered relevant to this application:

The Adopted Core Strategy for the City of Manchester

- CC9 – Design and Heritage
- CC10 – A Place for Everyone
- DM1 – Development Management
- EN1 – Design Principles and Strategic Character Areas
- EN3 – Heritage
- SP1 – Spatial Principles
- T1 – Sustainable Transport

The Unitary Development Plan for the City of Manchester

- E3.3 – Environmental Improvement and Protection
- DC18 – Conservation Areas
- DC19 – Listed Buildings

Places for Everyone

- JP-P1 – Sustainable Places
- JP-P2 – Heritage

NPPF

- Section 12 (Achieving Well Designed Places)
- Section 16 (Conserving and Enhancing the Historic Environment)

Listed Buildings and Conservation Areas Act 1990

- Sections 66 & 72

Issues

Principle of Development

The application would see the installation of a digital kiosk on the public footway, for public use, within the City Centre. Due to the impact on visual amenity, heritage and public safety, the proposed installation is not considered to be acceptable in principle.

Proposed Removal of Existing Telecommunications Boxes

The applicant's covering letter states that with the removal of existing telecommunications boxes, the addition of a proposed kiosk would minimise the impact of clutter on the existing street scene. In cases where a kiosk will replace an existing payphone not within the same street scape but in proximity to the proposed development site (as is the case for this application), this would minimise the impact within the same visual envelope.

Whilst the proposed removal of the 2no. existing telecommunications boxes on the footpath outside 30 High Street is welcomed, it is noted that these telecommunications boxes are not within proximation to the vicinity of the proposed development site and are not seen in the same 'visual envelope'.

Moreover, as compared the existing traditional telecommunication booths, the proposed kiosk is solid, rectilinear in shape, opaque and black in colour, therefore having a more prominent appearance. It also incorporates illuminated digital screens for the purpose of advertisement display (which are to be refused separately as part of application 142706/AOH/2025).

Given that the proposed removal would not be visible within the Oldham Road street scene it is not considered a like-for-like replacement within the City, and the proposal is to be assessed on its own merits with regards to its particular impact on the street scene of Oldham Road.

Siting, Scale and Appearance

The proposed kiosk would be freestanding, rectilinear in shape though narrowing towards its base, have a depth of 35cm, a width of 1.23m and a height of 2.99m. It would be with a galvanised steel structure and feature a painted powder coated cladding. Each side would feature a tablet interface and digital HD screen.



Elevations of the proposed hub

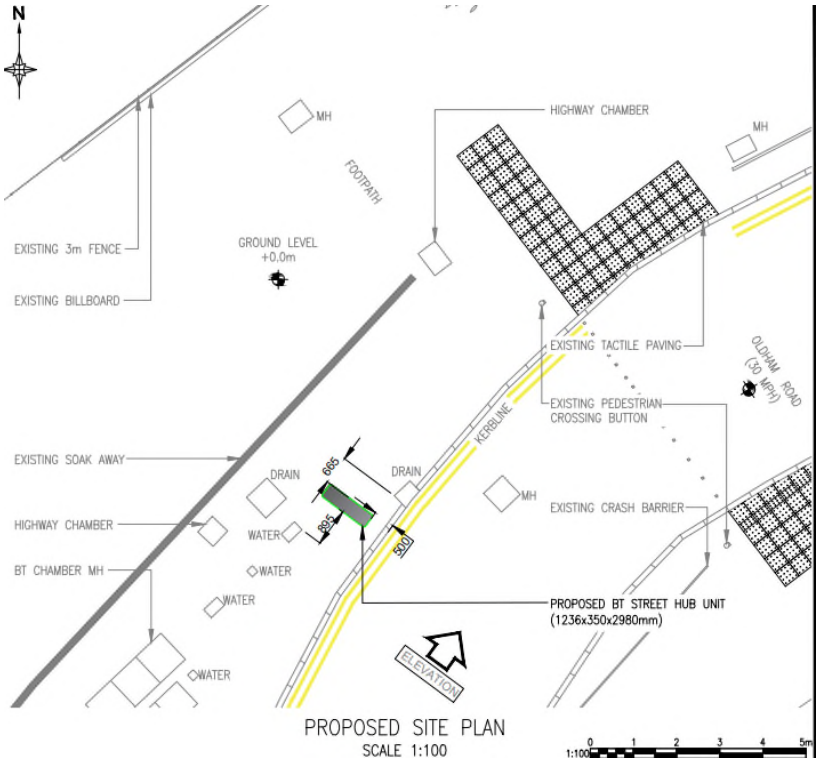
The hub would be positioned in a prominent and busy location along Oldham Road within the city centre.

The street scene along Oldham Road is populated by various pieces of street furniture and clutter, consisting of railings, public bins, bollards, a bus stop, crossing buttons, signposts, lighting

columns and street trees. There is also a large advertising board within the back drop of the application site and a grade II listed building.



The proposal would see the installation of the kiosk in a currently clear section of paving.



The kiosk would for a large and obtrusive feature within the street scene, contribute to visual clutter (particularly due to the proximity of the advertisement hoarding) and cause a harmful impact to the significance and appreciation of the setting of the adjacent listed.

The structure is predominantly black (within the exception of its digital screen) and covered in a black matt cladding. Its dark and blocky appearance and materiality, combined with its siting,

would make the structure highly prominent meaning its unattractive and low quality appearance is more visible.

There have been significant efforts in the last few years to improve the general highway environment of this part of the city centre (along Great Ancoats Street and Oldham Rad), through the provision of highway resurfacing, street tree planting, improvements to landscaping and general de-cluttering.

City Centre Growth and Regeneration comments have expressed concerns about the clutter from these installations along with other street furniture.

The applicant has sited that there are nearby totems at 59 Great Ancoats Street and Spear Street. It is not considered that these totems are relevant to the consideration of this application. Each development should be considered on its own individual merits and in this particular case the prominence and highly visual location would together with the existing street clutter would result have an unduly harmful impact on the character of the local area as well as the general pedestrian environment. There would also be harm to the setting of the listed building which is considered elsewhere in this report. The proposal would fail to comply with saved policy E3.3 which seeks to improve the visual appearance of key radial routes such as Oldham Road and undermine efforts in recent years to improve this section of carriageway. The proposal would fail to comply with Core Strategy policies EN1, DM1, SP1 and T1, PfE policy JP-P1 and saved policy E3.3 of the UDP.

Impact on designated heritage assets

The development site is within the setting of two Grade II-listed buildings, with the former Midland Bank at 2-4 Swan Street and the Crown and Kettle public house at 2 Oldham Road.

The significance of the Midland Bank derives from its classical architectural style, its semi-circular south end and detailing including a balustraded parapet, moulded architraves and ornamental pilasters.

The Crown and Kettle on the other side of Oldham Road features buff brick with stone dressings, 5x5 bays with Gothick tracery and linked hoodmoulds, as well as a hipped slate roof.

The development site falls just outside the Smithfield, Ancoats and Stevenson Square Conservation Areas, though views of each are attainable at the proposed development site.

The area surrounding the development site is therefore one of special historic significance and high amenity value to the city, marking the transition into the City Centre Character Area from Oldham Road. Pursuant to Core Strategy Policies CC9, EN1 and EN3 as well as PfE Policy JP-P2, developments are expected to consider the City's heritage and continue the rich pattern of activity in the core area, preserve and enhance these identified heritage assets and integrate with their setting.

Additional street clutter in this location would however detract from the setting of the Listed Buildings, particularly that of the adjacent Grade II-listed former Midland Bank. While it is acknowledged that the totem on the corner of Spear Street can be viewed in the same context as the Midland Bank, the dark and blocky structure would be an obtrusive modern element seen directly in conjunction with the classically styled Midland Bank, erected immediately adjacent to its distinctive semi-circular end.

The structure would appear obtrusive and a disparate element of street furniture adding to existing street clutter within the setting of the listed building. This would have a detrimental effect on its

significance, character and setting.

It is acknowledged that the proposal would not impact to the same extent of the Crown and Kettle Public House due to the distances between the application and the building across the busy junction. Similarly, there would be no significant impact on the setting of the conservation areas for the same reason.

However, the proposal would result in a high level of less than substantial harm to the setting of the former Midland Bank building. The installation by virtue of its siting, scale and appearance would result in the addition of a poor quality structure within the listed buildings setting which would failure to sustain or enhance its significance. The structure would appear incongruous to the building.

In NPPF-terms, this would amount to high level of less than substantial harm. It would furthermore be contrary to saved policy DC19.1(d) of the UDP and CC9 of the Core Strategy, which state that the Council will seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, as well as control over the use of adjacent land.

The proposed kiosk is therefore contrary to the provisions of PfE Policy JP-P2, policies CC9, EN1 and EN3 of the Manchester Core Strategy (2012), policies DC18 and DC19 of the Unitary Development Plan for Manchester (1995), and fail to meet the requirements set out in sections 12 and 16 of the National Planning Policy Framework, as well as sections 66 of the Listed Buildings and Conservation Areas Act 1990.

Assessment of Heritage Impact

The proposal would result in a high level of less than substantial harm to the setting of the former Midland Bank. As required by 215 of the NPPF, it is necessary to consider whether any public benefits exist to outweigh this harm.

The applicant's planning statement highlights the national policy context encouraging investment in mobile infrastructure and 5G provision. The Council has also published the Manchester Digital Strategy 2021 – 2026, outlining its goal to invest in digital infrastructure. It is acknowledged that the proposed Street Hub kiosk offers some public benefits in these regards, including free public Wi-Fi, free UK calls, USB charging, IoT sensors and emergency service access. It is therefore acknowledged the digital benefits of the scheme.

However, it is considered that this benefit is limited and would not be sufficient in itself to outweigh the harm to the setting of the listed building. The Digital Strategy Team have highlighted the limited benefit of the provision of WIFI within these structures. In particular, the hubs have a limited range of 150m and as a user leaves this range they lose access. As such, the hubs do not offer comprehensive coverage.

Digital Strategy Team go on to state that free public Wi-Fi provision is only one solution to urban digital connectivity. In their view, the proposed method of achieving digital accessibility via a dense and frequent number of kiosks does not meaningfully solve urban connectivity issues in the same way as other digital connectivity solutions do. The strategic focus of The Manchester Digital Strategy is primarily concerned with addressing the provision of small cell infrastructure on street lighting as a first step to addressing urban connectivity challenges.

Given the above, it is considered that while there are some benefits to Wi-Fi provision within the City, they are limited. When these limited public benefits are weighed against the high level of

less than substantial harm, as well as their impact on street clutter, visual amenity, and public safety, it is not considered that the harm is outweighed.

Highways and Accessibility

PfE policy JP-P1 requires that the city is easy to move around for those of all mobility levels, particularly by walking and cycling, with enjoyable routes free from obstacles and disorienting stimuli.

Policy T1 of the Core Strategy also specifies that development will be supported where it improves pedestrian routes and the pedestrian environment. Pursuant to this, it is noted that there are ongoing cycling infrastructure improvements further up Oldham Road and along Great Ancoats Street to improve active travel along the route and, as noted previously, the City Council is undertaking significant efforts to improve the walking and wheeling experience on pavements through decluttering footways and public realm throughout the City Centre. Core Strategy Policies DM1 and SP1 also outline that proposals must have regard to road safety.

The proposed kiosk would be positioned immediately adjacent to a signalised multi-lane junction with pedestrian crossing facilities at the busy and complex Oldham Road. Immediately adjacent to the development site, the highway is two lanes wide. Vehicles approaching the crossing from Great Ancoats Street contend with a curve at the junction and vehicles joining Oldham Road from Swan Street manoeuvre around the peninsula-like section of footway around the former Midland Bank. Due to the siting of the advert on the southwest side of side of the crossing, it would be positioned between the crossing and oncoming traffic.

Highway Services do not support the application as there is a safety concern where the totem may obscure pedestrians at the crossing facility and impact sightlines for both pedestrians and vehicles. Due to the concerns over clutter, as well as the safety concerns with the kiosk's impact on the crossing over Oldham Road, the proposal is considered to be inappropriately sited and to impact upon road safety. The proposal therefore fails to comply with Core Strategy policies DM1, SP1 and T1, as well as PfE policy JP-P1 by virtue of its impact on road safety at the crossing.

Given the concerns with road safety at the crossing, the proposal is considered to further fail to meet accessibility requirements required by PfE policy JP-P1 and policies CC10, DM1, SP1 and T1 of the Manchester Core Strategy, which broadly outline the Council's aim to ensure the city is easy to move around for those of all mobility levels and that development will be supported if it has high standards of accessibility across spaces in the City Centre.

Aside from this, it is acknowledged that with respect to north-south movement along the footway, the proposed kiosk would leave a circa 9.6m width on the footway. Therefore, there would be sufficient room for those with prams and wheelchairs to pass unhindered along the footway.

Additional City Centre Growth & Infrastructure comments regarding accessibility are also acknowledged, highlighting that the more furniture and infrastructure within a space, the more difficult it becomes for a blind or partially sighted person to navigate through.

Planning Balance and Conclusion

In consideration of the above, the proposed kiosk has been found to have an unacceptable impact on local visual amenity, heritage and highway safety, resulting in a high level of less than substantial harm. As such, the proposal has been found to be contrary to Core Strategy Policies CC9, CC10, DM1, EN1, SP1 and T1, saved UDP policies DC18, DC19 and E3.3, Places for Everyone Policies JP-P1 and JP-P2, and fail to meet the requirements set out in sections 12 and

16 of the National Planning Policy Framework, as well as sections 66 of the Listed Buildings and Conservation Areas Act 1990. The application is therefore recommended for refusal.

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 polices 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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to matters arising in relation to dealing with the planning application. Pre application advice has been sought in respect of this matter where officers advised that the proposal would unlikely be supported. The applicant has also been made aware of concerns during the course of this application. The proposal has been determined in timely manner.

Reasons for recommendation to refuse

1) The proposed kiosk would by virtue of its siting, scale, design and appearance would have a detrimental impact on visual amenity, resulting in additional street clutter together with forming an obtrusive, incongruous and overly dominant feature located in a prominent location adjacent to radial entry routes into and throughout the City Centre, to the detriment of the street scene (where there has been significant investment to improve the public realm and place making) and pedestrian experience. The proposed kiosk would therefore be contrary to the Core Strategy for the City of Manchester in particular policies DM1, EN1, SP1 and T1; the Unitary Development Plan for the City of Manchester saved policy E3.3 Places for Everyone policy JP-P1 and the NPPF.

2) The proposed kiosk would by virtue of its siting, scale design and appearance would have a detrimental impact on the setting of the Grade II listed 2-4 Swan Street. The development would form visual clutter within its setting as we as being highly obtrusive and incongruous. The proposal would result in less than substantial harm to the significance of the listed asset and the required public benefits do not exist to out weigh the harm. The proposed kiosk would therefore be contrary to the Core Strategy for the City of Manchester policies CC9, EN1, EN3; the Unitary Development Plan for the City of Manchester saved policy DC19.1; Places for Everyone policy JP-P2; and fail to meet the requirements set out in sections 12 and 16 of the National Planning Policy Framework, as well as sections 66 of the Listed Buildings and Conservation Areas Act 1990.

3) The proposed kiosk would by virtue of its siting immediately adjacent to a signalised junction with pedestrian crossing facilities on Oldham Road would impact upon highway safety and therefore be contrary to the Core Strategy for the City of Manchester, in particular policies DM1, SP1 and T1, as well as Places for Everyone policy JP-P1 and the NPPF.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Greater Manchester Pedestrians Society

79 Tib Street, Manchester, M4 1LS
Quality Engineering Design, 77 Tib Street, Manchester, M4 1LS
5 Swan Street, Manchester, M4 5JJ
Basement And Ground Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Flat 1, 4 Swan Street, Manchester, M4 5JN
Frog And Bucket, 102 Oldham Street, Manchester, M4 1LJ
Room 15, 5 Swan Street, Manchester, M4 5JJ
6 Swan Street, Manchester, M4 5JN
Second Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Third Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Crown And Kettle, 2 Oldham Road, Manchester, M4 5FE
Room 14, 5 Swan Street, Manchester, M4 5JJ
Room 13, 5 Swan Street, Manchester, M4 5JJ
Room 12, 5 Swan Street, Manchester, M4 5JJ
Room 11, 5 Swan Street, Manchester, M4 5JJ
Room 10, 5 Swan Street, Manchester, M4 5JJ
Room 9, 5 Swan Street, Manchester, M4 5JJ
Basement And Ground Floor, 2 Swan Street, Manchester, M4 5JN
Room 8, 5 Swan Street, Manchester, M4 5JJ
Room 7, 5 Swan Street, Manchester, M4 5JJ
Room 6, 5 Swan Street, Manchester, M4 5JJ
Room 5, 5 Swan Street, Manchester, M4 5JJ
Room 4, 5 Swan Street, Manchester, M4 5JJ
Room 3, 5 Swan Street, Manchester, M4 5JJ
Room 2, 5 Swan Street, Manchester, M4 5JJ
8 Swan Street, Manchester, M4 5JN
7 - 9 Swan Street, Manchester, M4 5JJ
The Quick Brown Fox, 1 - 3 Swan Street, Manchester, M4 5JJ
Room 1, 5 Swan Street, Manchester, M4 5JJ
First Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
2 - 4 Swan Street, Manchester, M4 5JN
First Floor And Second Floor, 2 - 4 Swan Street, Manchester, M4 5JN
143 - 147 Oldham Street, Manchester, M4 1LN
4 Oldham Road, Manchester, M4 5FE

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL