

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142707/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 Outside 335 Hollinwood Avenue, Manchester, M40 0JA
Ward(s): Moston Ward

Applicant: Simon Warner, BT Group Plc
Agent (if any): Mr Martin Brown, Telent
Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 29 May 2025

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 27 May 2025

Standard consultations:

Printed: 1 May 2025 Expired: 23 May 2025

Neighbour notifications

Printed: 1 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 and surrounding

The application site relates to an area of public footway situated to the southern side of Hollinwood Avenue, adjacent to No.335.

The site is located within Hollinwood Avenue/Greengate local centre which is mixed use in character, comprising a variety of small-scale commercial and residential uses, including a two-storey parade immediately to the back of pavement, consisting of local shops and food drink establishments at ground floor level with residential above. The parade is separated from the public footway by a private forecourt used for ad hoc car parking. To the opposite side of Hollinwood Avenue is a further commercial parade. Moston railway station is located a short distance to the west.

The host footway includes existing street furniture including a telecommunication mast, equipment cabinets, lampposts, litter bin and bollards.



View looking westwards (arrow indicating position of proposed installation)



View looking eastwards (arrow indicating position of proposed installation)



View looking eastwards showing backdrop (arrow indicating position of proposed installation)

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Planning permission is sought for the installation of 1No. BT Street Hub Unit and associated advertisement panels on either side of the unit. The unit measures 2986mm (H) x 1236mm (L) x 350mm (D)

Street Hubs are free-standing structures offering free Wi-fi, featuring digital HD display screens on two sides. The screens display content at 10-second intervals.



Image of proposed street hub

The units are funded through the display of advertising via sponsorship from companies who would utilise the digital HD display screens on both sides of the unit.

The applicant states that the proposed unit is intended to allow for the removal of an existing BT phone box to the opposite side of Hollinwood Avenue, outside No. 338.

The application is accompanied by an application for advertisement consent (Ref: 142708/AOH/2025) for the two LED screens to each side of the unit.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services – It is noted that the proposed digital communication totem is to be located on the adopted footway of Hollinwood Avenue.

Plans indicate a retained footway width of 7865mm along Hollinwood Avenue. However, the Council's Land Registry appears to indicate that the section of unadopted footway adjacent to No. 335 Hollinwood Avenue lies within the property's land ownership. Therefore, the retained footway width would be considerably less than 7865mm. There is concern that the constrained footway width may affect pedestrian movement.

Observations indicate that vehicle parking takes place in the forecourt area fronting No. 335 Hollinwood Avenue and neighbouring units. Highways are concerned regarding the potential impact of the proposed hub on retail parking/vehicle movement.

Information on maintenance of the proposed communication totem including frequency of servicing/maintenance and vehicle parking arrangements is unclear

Transport for Greater Manchester (TFGM) – The following comments are made:

-As a result of the installation and removal works, the affected footway would need to be reinstated in accordance with Manchester City Council (MCC) standards and specifications.

-The site plan appears to indicate that the apparatus would be installed 0.5 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.

-A minimum footway width of 2 metres (where the apparatus is positioned) needs to be retained to ensure pedestrian movements are unimpeded. Sightline visibility for vehicles, cyclists and pedestrians needs to be maintained.

-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.

-A Construction Traffic Management plan should be employed as part of the proposals to reduce any likely impacts.

-In terms of the proposed luminance of the LED screens, it is confirmed that the luminance would 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. The LED screens should not feature any moving images.

Cadent – No objection.

Greater Manchester Police (Design for Security) – No comments to make.

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.

Planning History

No relevant history.

Policy

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

'The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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 also been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must therefore be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'

The following policies within the Core Strategy are considered relevant:

Core Strategy policies

Policy SP1 (Spatial Principles) - refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy EN1 (Design Principles and Strategic Character Areas) - All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

Saved UDP policies

DC17 (Telecommunications) - 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 residential amenity and in environmentally sensitive areas. Wherever possible, the Council will expect the potential of existing buildings and masts, including the sharing of such facilities, to be fully explored before agreeing to additional separate development.

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.

Policy E3.3 (Environmental Improvement and Protection) - refers to the Council looking to upgrade the appearance of the city's major radial routes.

Places for Everyone Greater Manchester Joint Development Plan (March 2024)

Places for Everyone Joint Development Plan was published in March 2024 and has been produced by Greater Manchester Combined Authority to provide a long-term plan for jobs, new homes, and sustainable growth for nine of Greater Manchester's districts.

The Plan and its policies form part of the development plan and are now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

The Plan identifies the essential aspect of the efficient and effective use of land with the preference to be given to making as much use as possible of suitable previously developed brownfield land and vacant buildings when meeting development needs.

The following policies are consideration relevant for this application:

attractive to potential visitors and investors.

Policy JP-P1 (Sustainable Places) - seeks to raise the quality of all places in a way that is sustainable in the long-term, to enhance the wellbeing for residents, as well as making Greater Manchester more attractive to potential visitors and investors.

Policy JP-C2 (Digital Connectivity) - Enabling the roll-out of latest generation mobile technology and full fibre to the premises connectivity, in a way that maximises coverage whilst protecting townscape quality and ensuring an ability to respond to updated/changing technology.

The Guide to Development in Manchester (SPD) (2007)

The Guide to Development in Manchester is a supplementary planning document which contains core principles to guide developers. The document offers design advice and sets out the City Council's aspirations and vision for future development and contains core principles to guide developers to produce high quality and inclusive design. The principles that development should seek to achieve, include, character and context, continuity, and enclosure, ease of movement, quality of the public realm, diversity, legibility and adaptability.

National Planning Policy Framework

The central theme to the revised NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Section 4 (Decision Making) provides guidance on the decision-making process and mirrors legislation in stating that planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Section 6 (Building a strong, competitive economy) states at 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 street scene and visual amenities of the area.

Section 10 (Supporting high quality communications) - Planning policies and decisions should support the expansion of electronic communications networks.

Applications for electronic communications development (including applications for prior approval under the General Permitted Development Order) should be supported by the necessary evidence to justify the proposed development.

Local planning authorities must determine applications on planning grounds only

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 - The Government produced a suite of documents to act as a live resource which set out advice and best practice on a wide range of planning issues following a detailed review of planning policy guidance as a way of streamlining policy.

Issues

Principle

Section 38(6) Planning and Compulsory Purchase Act 2004 requires that decisions are to be made in accordance with the development plan, unless material considerations indicate otherwise.

The NPPF at paragraphs 2 and 47 reinforces this requirement and at paragraph 12 states that the presumption in favour of sustainable development does not change the statutory status of the development plan as a starting point for decision making, and that where a planning application conflicts with an up-to-date development plan, permission should not normally be granted.

In the case of this application, the principle of the proposal is not considered acceptable and conflicts with the aforementioned development plan policy and associated guidance.

It is considered that the proposed development would have a visually intrusive impact within the wider streetscape and would impede access arrangements for both pedestrians along the footway and vehicle users who park on the adjacent forecourt.

The main issues in this case are outlined further below.

Visual Amenity

The proposed hub is a freestanding structure which would be positioned along the footway immediately to the west of an existing telecommunication mast and telecommunication equipment cabinets.

There is concern in this case that the proposed design and position of the proposed hub would form a visually strident feature in the locality, which would be harmful to visual amenity.

Policy DM1 of the Core Strategy states that amongst other matters states that new development should have regard to the appropriate siting and appearance of development, the impact upon the surrounding area and the effects on amenity, accessibility.

The more strategic policy of SP1 advocates that all development in the city should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character.

Saved policy DC17.1 of the Unitary Development Plan states that such development will only normally be approved if the Council can be satisfied that the development has been sited and designed to minimise its impact upon residential amenity and in environmentally sensitive areas.

Saved Policy E3.3 looks to upgrade the appearance of the city's main radial and orbital routes which is similarly reflected within policy EN1 of the Core Strategy which states that opportunities

for good design to enhance the overall image of the city should be fully realised, particularly on major radial and orbital road and rail routes.

Policy JP-P1 of Places for Everyone seeks to raise the quality of all places in a way that is sustainable in the long-term, to enhance the wellbeing for residents, as well as making Greater Manchester more attractive to potential visitors and investors.

Further to this The Guide to Development in Manchester (SPD) states at paragraph 2.42 that:

‘Badly designed and positioned street furniture can create clutter and confusion; we will, therefore, look to minimise the provision of unnecessary street furniture and encourage coordination of function’.

The proposed hub at nearly 3 metres high, along with its appearance and other physical dimensions, coupled with the presence of existing street furniture, including a 20-metre-high telecommunication monopole, equipment cabinets, numerous 10 metre high lamp posts, bollards and railings, would introduce another item of street furniture in the immediate area, which would lead to excessive clutter along the host footway, on a prominent section of highway and gateway to Moston railway station.

Whilst the applicant states that the proposed hub would replace an existing BT phone box to the other side of Hollinwood Avenue, it would add to the street furniture along the southern side of road. The decluttering of the opposite footpath would not represent a material improvement to the area of footway subject to this application.

The need to safeguard visual amenity in the area aligns with the Council’s regeneration objectives, development policy and guidance. It is maintained therefore that the proposed hub would only add to the concentration of street furniture in the immediate locality and cumulatively result in an increasingly cluttered appearance to the pavement and wider street-scene and due to its size, would obstruct vistas looking east and west along Hollinwood Avenue.

Accordingly, the siting and appearance of the proposed hub would harm the character and appearance of the area, which would also be accentuated by the associated, illuminated advertisement panels.

Access

The applicant states within their submission that the proposed hub would be set back 500mm from the edge of the carriageway, retaining 7865mm of footway width along Hollinwood Avenue.

The consultation response from Highway Services indicates that the footway width being relied upon comprises an unadopted area which forms part of the forecourt for the adjacent parade of commercial units. As such, the area of adopted footway to allow for the installation is much narrower. Post installation of the proposed hub, there would be a residual area of approximately 1500mm between the hub and adjacent forecourt.

TFGM require a minimum footway width of 2 metres (2000mm) to ensure pedestrian movements are unimpeded. In this regard, Highways are concerned that the constrained footway width would affect safety pedestrian movement, particularly if the vehicles are parked along the forecourt. It is maintained that the residual gap would be insufficient for pedestrians to satisfactorily navigate the footway, particularly if using a wheelchair or pushchair, or where pedestrians from different directions need to pass each other. This is more likely given the location adjacent to shop and the proximity Moston railway station.

It is further maintained that the proposed hub would restrict visibility adjacent to the parade and hinder vehicular movement between the footway and the nearest dropped kerb which allows for access onto Hollinwood Avenue, which is located at the western most point of the forecourt. If vehicles are parked on the forecourt adjacent to 331-333 Hollinwood Avenue, their safe access to the highway would be obstructed by the proposed hub, which could cause motorists to make unsafe manoeuvres and increase the for cars and pedestrians to come into conflict with each other.

On this basis, it is considered that the proposed hub would not allow for satisfactory access arrangements and would jeopardise highway safety. This would be contrary to policies DM1 and SP1 of the Core Strategy and policy JP-P1 of Places for Everyone which amongst other matters, seek for new development to result in well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, improve accessibility and community safety, as well as paragraph 2.42 of the Guide to Development in Manchester (SPD) which looks to minimise the provision of unnecessary street furniture.

Noise

Given existing background noise levels associated with a busy, mixed-use location adjacent to a main east/west 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

Whilst Development Plan policy and the National Planning Policy Framework advocates the use of high-quality communications infrastructure, it is not considered that proposed site has been selected to maintain a sufficient width of pavement along the public footway and would result in a visually incongruous feature, harmful to the character and appearance of the area.

Whilst the public benefits of a greatly enhanced communications network for businesses, residents and visitors alike in this location would qualify as a considerable positive, the impact to visual amenity, pedestrian access and highway safety as a consequence of the proposed hub is considered to outweigh these factors in this case.

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

Officers have attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the applicant during the course of the planning application, but these concerns have not been overcome. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed installation, by virtue of its siting and appearance, would form a visually intrusive and incongruous feature within the street scene and add to the street clutter in the locality to the detriment of visual amenity. As such, the proposal is contrary to policies DM1, EN1 and SP1 of the Manchester Core Strategy, saved policies DC17.1 and E3.3 of the Unitary Development Plan for the City of Manchester, policy JP-P1 of Places for Everyone Joint Development Plan, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework.

2) The proposed installation has not been sited to allow for satisfactory pedestrian access along the host footway and would impede vehicular access and visibility from the adjoining forecourt onto the highway. This in turn would have a harmful impact to access arrangements, whilst undermining highway safety, contrary to policies DM1 and SP1 of the Manchester Core Strategy, The Guide to Development in Manchester (SPD) and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police
Transport For Greater Manchester
Oldham Metropolitan Borough Council

Flat At, 323 Hollinwood Avenue, Manchester, M40 0JA
323 Hollinwood Avenue, Manchester, M40 0JA
339 Hollinwood Avenue, Manchester, M40 0JA
331 Hollinwood Avenue, Manchester, M40 0JA
325 Hollinwood Avenue, Manchester, M40 0JA
325A Hollinwood Avenue, Manchester, M40 0JA
321A Hollinwood Avenue, Manchester, M40 0JA
331A Hollinwood Avenue, Manchester, M40 0JA
337 Hollinwood Avenue, Manchester, M40 0JA
321 Hollinwood Avenue, Manchester, M40 0JA
335 Hollinwood Avenue, Manchester, M40 0JA
333 Hollinwood Avenue, Manchester, M40 0JA
Mumbai Spice, 327 - 329 Hollinwood Avenue, Manchester, M40 0JA

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
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH AREA