

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135472/FO/2022

Date registered valid: 28 November 2022

Proposal: Installation of 1no. new BT Street Hub, incorporating 75" LCD advert screens

Address: Pavement O/S 340 Palatine Road, Opposite The Junction With Brett Street, Manchester , M22 4HE

Ward(s): Northenden Ward

Applicant: Mr James Browne BT Telecommunications Plc Pp 8.05, Faraday Building, 1 Knightrider Street, London, EC4V 5BT

Agent (if any): Mr Josh Lee Solutions30 Regus - 82 King Street, Manchester, M2 4WQ

Case officer: Robert Griffin
Tel: 0161 234 4527
Email: robert.griffin@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 10 January 2023

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 14 December 2022

Standard consultations: Printed: 8 December 2022 Expired: 29 December 2022

Neighbour notifications: Printed: 8 December 2022 Expired: 29 December 2022

Site notice: Posted: 13 December 2022 Expired: 03 January 2023

Press advert: No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a portion of pavement located outside No.340 Palatine Road in the Northenden ward of Manchester. The site is located along a busy high street bordered with commercial shopping facilities, bars and restaurants, outside a 'B&M express' store.

Description of development

The applicant is seeking permission for the installation of a new BT street hub, following the removal of two existing BT phone kiosks. Of the kiosks to be removed, one is located outside No.344-346 Palatine Road, whilst the other is located opposite No.143 Longley Lane.

BT street hubs are free-standing structures featuring a fully accessible tablet interface and digital HD display screens on two sides. Overall, the dimensions of a BT street hub are: 2.98m in height, 1.236m in width (with a reduced, tapered base of 1.201m) and 0.35m in depth. The screens are to display commercial, community and council-based content at 10-second intervals with illuminance levels of 2500cd/m². Displays are set to automatically dim at night to 600cd/m², following daylight hours. Each unit will also feature a video camera above each screen as well as one built into the tablet.

Each BT Street hub aims to offer:

- Opportunities for advertisements
- Ultrafast public and encrypted Wi-Fi
- Access to public services
- Free phone calls
- Multiple accessibility options
- Secure power-only USB ports for rapid device charging

- Free phone calls
- Direct 999 call button
- Useful real-time information (including community and emergency awareness messaging)
- Environmental sensors to measure air quality, noise, traffic etc.
- Maps and wayfinding

The applicant's supporting information indicates that all street hubs are powered by 100% renewable carbon-free energy and are inspected weekly, cleaned bi-weekly and monitored 24/7. Their LED-backlit LCD screens consume approximately 60% less power than Cold Cathode Fluorescent Tubes whilst their screen filters reflect light and reduce the need for high power, noisy cooling systems. Through utilising industrial-grade components, the street hubs are able to operate at high temperatures, thus reducing the need for cooling. The supporting information states that noise emanating from the hubs should not exceed: 41dB at a distance of 3m during the day, 35dB at a distance of 3m during the night and operational volume should not exceed 60dB at a distance of 1m.

Associated Applications

135473/AOH/2022 - Advertisement consent for the display of 2no. digital 75" LCD display screens.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Northenden Civic Society – no comments or objections received.

Northenden Village Partnership – no comments or objections received.

GMP – no comments or objections received.

Environmental health made comments and recommended a number of conditions in relation to controlling the light, noise, and maintenance of the units.

Highways made the following comments:

- "Insufficient footway retained, it is not acceptable to reduce footway widths and increase street clutter when as a City we are promoting Active Travel via walking and cycling"
- "There are ongoing issues regarding security implications with the units providing a vantage point for antisocial behaviour"

Policies

The following policies are considered relevant in the consideration of this application.

The Manchester Core Strategy – Development Plan Document 2012-2017 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy DM1 – Development Management

The National Planning Policy Framework (NPPF, 2021)

- Chapter 7 – Ensuring the Vitality of Town Centres
- Chapter 12 – Achieving Well-Designed Places

Design for Access 2 (Dec 2003)

- Chapter 3 – Footways, Pathways and Access Routes
- Chapter 4 – Street Furniture

For reasons to be outlined below, it is considered that the proposal does not accord with the principles of these policy documents.

Issues

Principle – The principle of installing a BT street hub so as to provide opportunities for advertising as well as a range of services to the public (including free Wi-Fi, free phone calls, secure USB-port charging, useful real-time information, maps, and wayfinding) is acceptable, however consideration must be given to the proposal’s impact upon existing levels of visual amenity, residential amenity, and public safety.

Visual Amenity – The street hub would be located away from residential property, situated adjacent to Palatine Road (B5167), on the edge of the pavement outside No.340 Palatine Road. The unit will be made of galvanised mild steel, with a powder coated external grade aluminium exterior. Displays will be made of tempered and toughed laminated glass. There will also be RF transparent compartments. The dimensions of the unit will be 2.98m in height, 1.236m in width and 0.35m in depth, whilst the dimensions of the advertisement/advertisement screens will be 1.67m in height, 0.95m in width and 0.35m in depth. The maximum height of any individual letters and symbols will be 0.12m (120cm) with various colours of text and images against a black background. The advertisement will be internally illuminated, with static illuminance levels of 2500cd/m².

Whilst the overall design and appearance of this unit is considered to be acceptable, its cumulative effect on the visual amenity of this locale is not. This is due to the fact that this area already possesses a considerable amount of street furniture which includes but is not limited to: bike racks, signposts, bollards, lamp posts, benches, trees and bins; most of which are considered to be low-lying furniture. The introduction of the proposed unit would therefore arguably add high-rise visual clutter to an already visually congested area, to the detriment of the appearance of the area.



Figure 1. Photograph of the proposed site of development, depicting the pre-existing street furniture and visual clutter in the locale.

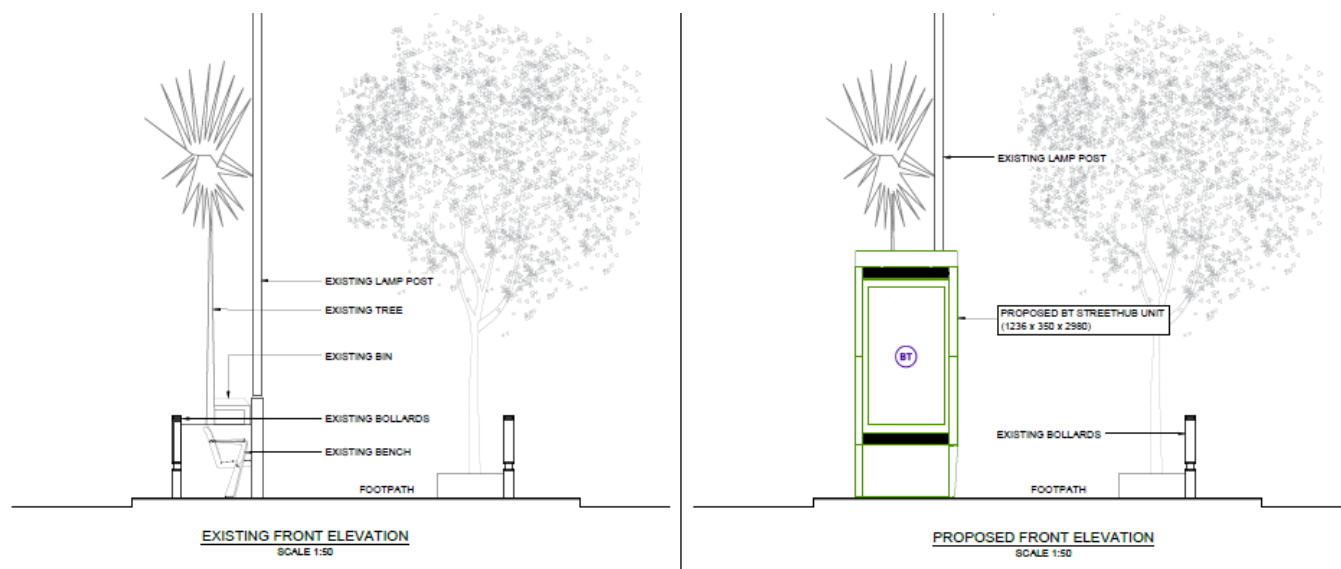


Figure 2. Excerpt from the ‘existing and proposed elevations’ of the proposal, submitted by applicant’s agent, illustrating the cumulative effect of the proposal in combination with the pre-existing street furniture at the site.

Moreover, though the proposal would also involve the removal of two existing BT phone kiosks (one located outside No.344-346 Palatine Road, and one located opposite No.143 Longley Lane), arguably this would result in the removal of street clutter from less crowded areas whilst adding unnecessary street clutter to a more visually congested area. This is because the areas where the BT phone kiosks are currently located possess less street furniture and clutter than the proposed site of development.

The proposal is therefore considered to be unacceptable as it would add a high-rise element to the existing visual clutter of the area and, in combination with the existing low-lying street furniture, its cumulative impact upon the visual amenity of the area is considered to be detrimental. The proposed development therefore conflicts with Core Strategy policies DM1 and SP1 as its impact upon visual amenity is considered to be unreasonable.

Residential Amenity – The street hub would be sited along the edge of the pavement and the public highway, with a gap to the edge of 0.5m. Footway widths of 2.915m and 2.939m would be retained and, though this is usually considered to be acceptable as it accords with the dimensions specified under chapter 3 of the Design for Access 2 (2003) (of at least 2m), it has been deemed unacceptable in these circumstances as Highways objected, stating that “insufficient footway [would be] retained, it is not acceptable to reduce footway widths and increase street clutter when as a City we are promoting Active Travel via walking and cycling”. Moreover, its close proximity to the edge of the public highway also raises concerns for the safety of road users and pedestrians alike as the unit may act as a physical and visual obstruction for members of the public.

One of the main features of a street hub unit is to provide free phone calls via a speaker and microphone system. Street hubs have been designed so that they create a ‘sound cloud’ for the person making a call with noise levels sufficient to make calls with background noise for the surroundings. Whilst this generates a reasonable conversational volume in proximity to the unit, it is intended to result in minimal to no noise being noticeable further away. The average volume settings are 65dB average at 3m distance from each street hub. Users may also choose to use headphones when making calls or using the tablet, which deactivates the speaker for the duration of their use.

The applicant has also provided a noise management plan which details how noise pollution and the unit’s impact upon aural amenity would be managed. During daytime hours (7am-9pm), the unit would operate controllable volume levels. This would default to 50% at the start of any user activity during the day and can be increased and decreased based on the preferences of the user. During night-time hours (9pm-7am), the street hub would be governed so that the volume cannot be increased to greater than a maximum of 60% volume. Given these considerations, it is believed that the unit should not contribute to noise pollution that would exist to an unbearable degree, and thus, should not significantly harm the aural amenity of the area.

The street hub unit would also include an automated dimming feature, whereby screens would be automatically dimmed from daytime levels of 2500cd/m² to 600cd/m² between dusk and dawn. This accords with the guidelines set out by the Institute of Lighting Professionals in the ‘Professional Lighting Guide 05: The Brightness of Illuminated Advertisements’ and is thus considered acceptable as the units should not cause an unreasonable amount of light pollution during hours of darkness and should also not pose a significant threat or distraction to road users.

The proposal is therefore considered to be unacceptable in regard to its impact upon accessibility and residential amenity as, despite employing strategies that would reduce and mitigate its impact upon aural amenity, noise and light pollution, the unit is believed to reduce the availability of pedestrianised footways; an issue that has been highlighted and stressed by Highways. The proposed development therefore conflicts with Core Strategy policies DM1 and SP1.

Public Safety – The proposal involves the removal of two existing BT phone kiosks, which are, at present, hubs for antisocial behaviour such as vandalism and substance abuse. Eliminating these enclosed areas and replacing them with a much more open and exposed unit should arguably reduce instances of antisocial behaviour as views of the site would be much less obscured.

The applicant has also provided an anti-social behaviour management plan whereby details of how these issues will be dealt with have been identified. This includes call restriction capabilities whereby phone calls and specific numbers are able to be blocked if they are identified as being

misused for illegal activity. Other measures also include reduction of call volume, restriction of calls at specific times and restriction of calls to mobile devices. The applicant also states that communicating and liaising with emergency services and local authorities should ensure that actions are able to be taken in areas where the units are being misused. Moreover, as the unit will be constructed of galvanised mild steel with tempered and toughed laminated glass, it is believed that the unit will be robust enough to withstand instances of attempted vandalism.

The applicant has also provided details of a maintenance plan. Street hubs will be visited every two weeks for cleaning, during which the units will be checked for damage and functionality of the tablets and screens. In-field quality inspection teams will also be deployed every two weeks to perform checks for damage, graffiti, and black screens as well as functionality checks on the tablet to test calls, maps, 999 and USB-charging. Faults are also able to be detected through remote diagnostics (if the unit is offline, Wi-Fi shows alerts, tilt sensor activated, internal computers show alerts) or members of the public reporting. This strategy therefore mitigates concerns over vandalism and unit maintenance.

The applicant has also provided a certificate of conformity with ICNIRP public exposure guidelines.

The proposal is therefore considered acceptable as it does not raise significant concerns regarding public safety due to the elimination of existing BT phone kiosks, inclusion of an anti-social behaviour management plan and maintenance plan and its conformity with ICNIRP public exposure guidelines.

Conclusion – For the reasons specified above, it is considered that the proposal is unacceptable due to its detrimental impact upon accessibility as well as the visual and residential amenity of the area. The applicant and agent were informed of the above concerns and were recommended to withdraw the proposal. Policy DM1 states that the City Council must give consideration to the ‘protection of amenity and local character, environmental standards and practical matters such as access and safety’, however, this proposal is considered to cause undue harm to the accessibility and visual and residential amenity of the area, thus acting against the principles set out in the aforementioned policies, hence the proposal cannot be supported by the City Council. The applicant was notified of the decision to refuse and has chosen to proceed with the original proposal for the purpose of an appeal.

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 worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Significant issues have arisen during the consideration of this application and a satisfactory resolution has not been reached.

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

1) The proposed structure, by reason of its size, height and siting on the public footpath in a prominent position would create a visually discordant and obtrusive feature in the street scene which would create an appearance of street clutter detrimental to the visual amenities of the area.

As such the proposal is contrary to policies SP1 and DM1 of the Manchester Core Strategy, saved Unitary Development Plan policies E3.3, DC15.1 and DC15.2, paragraph 132 of the National Planning Policy Framework and paragraph 2.42 of the Guide to Development in Manchester Supplementary Planning Document (2007).

2) The proposed structure, by reason of its size, height and siting on the public footpath in a prominent position would reduce the availability of pedestrianised footways to an unacceptable degree, thereby negatively affecting the accessibility and residential amenity of the area.

As such, the proposal is contrary to policies SP1 and DM1 of the Manchester Core Strategy, saved Unitary Development Plan policies DC15.1 and DC15.2, paragraph 132 of the National Planning Policy Framework, paragraph 2.42 of the Guide to Development in Manchester Supplementary Planning Document (2007) and chapters 3 and 4 of the Design for Access 2 (2003).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Northenden Civic Society
Northenden Village Partnership

Flat 4, 2 Brett Street, Manchester, M22 4EX
Flat 3, 2 Brett Street, Manchester, M22 4EX
Flat 2, 2 Brett Street, Manchester, M22 4EX
Flat 1, 2 Brett Street, Manchester, M22 4EX
338A Palatine Road, Manchester, M22 4HF
349B Palatine Road, Manchester, M22 4FY
349 Palatine Road, Manchester, M22 4FY
351 - 359 Palatine Road, Manchester, M22 4FY
GODFREY HOLLAND LIMITED, Ground Floor, 341 Palatine Road, Manchester, M22 4FY
Second Floor, 331 Palatine Road, Manchester, M22 4HH
First Floor, 331 Palatine Road, Manchester, M22 4HH
Ground Floor, 331 Palatine Road, Manchester, M22 4HH
341 Palatine Road, Manchester, M22 4FY
336 - 338 Palatine Road, Manchester, M22 4HE
349A Palatine Road, Manchester, M22 4FY
343 Palatine Road, Manchester, M22 4FY
339 Palatine Road, Manchester, M22 4HH
337 Palatine Road, Manchester, M22 4HH
340 Palatine Road, Manchester, M22 4HE
342 Palatine Road, Manchester, M22 4HE
332 - 334 Palatine Road, Manchester, M22 4HE
345 - 347 Palatine Road, Manchester, M22 4FY
333A Palatine Road, Manchester, M22 4HH
340B Palatine Road, Manchester, M22 4HF
340A Palatine Road, Manchester, M22 4HF
336A Palatine Road, Manchester, M22 4HF
334A Palatine Road, Manchester, M22 4HF
332A Palatine Road, Manchester, M22 4HF
343A Palatine Road, Manchester, M22 4FY
333 Palatine Road, Manchester, M22 4HH
331 Palatine Road, Manchester, M22 4HH
354B Palatine Road, Manchester, M22 4HD
354A Palatine Road, Manchester, M22 4HD
352A Palatine Road, Manchester, M22 4HD
350A Palatine Road, Manchester, M22 4HD
348A Palatine Road, Manchester, M22 4HD
346A Palatine Road, Manchester, M22 4HD
344B Palatine Road, Manchester, M22 4HD
344A Palatine Road, Manchester, M22 4HD
Betfred, 344 Palatine Road, Manchester, M22 4HE
352 Palatine Road, Manchester, M22 4HD
350 Palatine Road, Manchester, M22 4HD
348 Palatine Road, Manchester, M22 4HD
346 Palatine Road, Manchester, M22 4HD

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Flood Zones Type 2 (low to medium risk) -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA