

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130389/AOH/2021

Date registered valid: 23 August 2021

Proposal: Installation of 1 freestanding double-sided BT Street Hub advertising unit (related planning application ref no.130388/FO/2021) following removal of 2no. telephone kiosks

Address: Pavement On Oxford Road (Opp Jcn Rosamond Street West) Outside Manchester Aquatics Centre, Manchester, M13 9RD

Ward(s): Hulme Ward

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

Agent (if any): Mr Lewis Baldwin Mono Consultants Steam Packet House, 76 Cross Street, Manchester, M24 2JG

Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 26 May 2022

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 24 February 2022 Expired: 17 March 2022

Neighbour notifications

Printed: 25 August 2021 Expired: 15 September 2021

Site notice

Posted: 31 August 2021 Expired: 21 September 2021

Press advert

Published: 31 August 2021 Expired: 21 September 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

The Site - The proposed site subject to this application is located on the eastern side of the busy Oxford Road, in close proximity to The University of Manchester and Manchester Metropolitan University campuses. The site is located outside opposite the junction of Oxford Road and Rosamond Street West. The applicant is proposing to remove 2 telephone kiosks. One kiosk is at the corner of Grosvenor Square, Oxford Road (approximately 259 metres away from the site). The other kiosk is at Boundary Lane, opp Arnott Crescent (approximately 722 metres away from the site). This proposed BT Street Hub site is also a key site in a network of sites proposed along the busy North-South Oxford Road/Wilmslow Road corridor.

The Proposal - Advertisement Consent is sought for Installation of 2 no. digital LED display screens to associated BT Street Hub (related planning application ref no. 130388/FO/2021)

Street Hubs are free-standing structures featuring a fully accessible tablet interface and digital HD display screens on two sides. Overall Street Hub dimensions are 35cm deep and 123.6cm wide (reduced tapered footprint is 120.1cm), with a height of 298cm to maximise the Wi-Fi range without dominating the street. A narrow base limits the footprint while ensuring access to wheelchair users.

The screens display content at 10-second intervals, both the commercial content that funds the service as well as a wide range of local community and council content. The two screens automatically dim at night to 600cd/m2, following daylight hours and in accordance with the levels set for this type and size of screen (those under 10m) by the Institute of Lighting

Professionals, Professional Lighting Guide 05 2015: The Brightness of Illuminated Advertisements This minimises disturbances to residents in the evening.

There is a video camera above each screen, as well as built into the tablet. These are not currently connected or used in the UK but are ready to deliver community benefits, after consultation and notifying the public and stakeholders through multiple channels.

Every Street Hub includes a fully accessible interactive tablet that provides a series of icons that give users access to:

- O Local council services
- O One touch connection to four national charities for support
- O BT's phone book
- O Local weather information
- O Maps and Wayfinding
- O FAQs and instructions

All Street Hubs are powered by 100% renewable carbon-free energy, with energy efficiency prioritised throughout the design process.

O A state-of-the-art LED-backlit LCD screen that consumes approximately 60% less power than Cold Cathode Fluorescent Tubes

Screen filters reflect light reducing the need for high power, noisy cooling systems typically seen in competing solutions

Industrial-grade components designed to function at high temperatures lower the need for cooling without compromising performance

O Passive design for cooling, i.e. aluminium casing for better thermal dissipation

High-efficiency power supplies providing 80% or better efficiency, compared to 65-70% of typical components.

Noise from cabinet and equipment should not exceed: 41dB at a distance of 3 metres during day, 35 dB at a distance of 3 metres during night, Operational volume should not exceed 60dB at a distance of 1 metre.

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A parallel planning application has been submitted for the advertising screens - app. 130388/FO/2021.

Description of area

Description of development

Consultations & Notification Responses

Publicity - The applications has been advertised in the Manchester Evening News as an other Development of Public Interest and affecting a Public Right of Way. A site notice was displayed and the occupiers of nearby properties have been notified.

This publicity has resulted in an email from a Manchester resident who makes the following points

Strongly object to more of these obelisks as they represent completely un-necessary pavement clutter in a city which is already almost impossible to walk around due to the amount of random electricity substations, guardrails, and billboards littering the pavements.

Given that the council recently rejected planning permission for a bike shed on a residential street, it would be contradictory to approve more of these eyesores.

Highway Services - Highways support the application subject to TfGM cycle hub proposals.

Environmental Health - have made recommended conditions for other similar units controlling the light from the display, and noise from the public pay phone / external speaker and a Maintenance Management Plan

SGMP - Having reviewed the proposals, consideration should now be given to the placement and location of the proposed unit. Pedestrian flow across the various locations of the proposed applications are high and during busy periods could potentially create pinch points and funnel passers-by into close proximity with street furniture, outdoor seating and ATMs, potentially providing opportunities for criminals to exploit. It is therefore highly recommended that the proposed units are relocated away from being immediately adjacent to any other street furniture or obstruction.

We would also advise consideration to be given to the potential of the units to attract or increase incidents of anti-social behaviour and loitering in these high footfall areas. A strategy to disable the units if required in extreme circumstances (e.g. previous examples may include the Manchester riots and some incidents of extreme anti-social behaviour) should also be considered.

We would also comment that the security of the proposed units themselves are carefully considered. The proposed units should be constructed to a robust and adequate standard and should also be securely fixed and vandal-resistant.

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

The Site Plan demonstrates that the apparatus will 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. The Site Plan submitted denotes that a

footway width of circa 2.289 metres will be retained past the apparatus, which is therefore acceptable.

Sightline visibility for vehicles, cyclists and pedestrians needs to be maintained and should not be impinged upon by the siting of the apparatus.

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, the application forms submitted alongside each application confirm that the luminance will not exceed 2500cd/m². 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

Greater Manchester Pedestrians Society - No response to the consultation

Counter Terrorism Policing North West - Have made a generic response to all the BT Street Hub applications stating

Before applications are approved it would be good practice to identify whether the proposed fixtures could be situated to assist in the protection of the general public in these publicly accessible areas.

This mitigation could be introduced by the strategic placement of any street furniture in order to reduce gaps wider than 1.2m.

Although not a rated obstruction (i.e. a PAS or IWA rated vehicle barrier) they could act as a deterrent to any hostile person driving a vehicle intent on using it as a weapon against members of the public.

Furthermore any consideration of the placement of the BT Hubs for this use, could assist in any future projects that the City Centre Security Group chaired by Kevin Gillham consider, especially from a budgetary perspective.

Issues

Visual amenity

More payphone kiosks are proposed to be removed than new BT Street Hubs being installed. The proposal that is the subject of this particular application would involve the replacement of 2 traditional telephone kiosks at remote locations with a new BT Street Hub structure at the application site. The overall effect of the Street Hub roll-out programme in Manchester would be that the amount of street clutter would be reduced and visual amenity therefore improved, particularly where two or more phone kiosk are proposed to be removed. Even where it is proposed that only 1 telephone kiosk would be removed and replaced with 1 BT Street Hub at a location elsewhere, the visual amenity at the location where the kiosk would be removed would still be improved as a result of the removal of the kiosks

It is the case that the existing telephone kiosks that would be removed as part of the proposal do not have any digital advertising screens on them whereas the new Hub that would replace the kiosks would have 2 screens. This is considered to be acceptable in this instance as the

screens are integral to the BT Hub structure and would be set within the structure rather than project from it. The digital screens present on the Hub would measure 95cm wide x 167cm high (75 inch in portrait) in area so would not be overly large in comparison to other digital advertising screens that are now commonplace in many commercial locations.

The structure (and its associated digital advertising screens) could be viewed in context with a nearby listed building but given the fact that the new Street Hub would be of a slim, sophisticated design this is not considered to be unacceptable in terms of visual amenity

On balance it is considered that the installation of a new BT Street Hub with its associated advertising screens in lieu of the 2 existing telephone kiosks would be acceptable in terms of its impact on visual amenity within the area and the proposal would not detract from nearby designated heritage assets.

Public safety

The City Council's Highways Section was consulted on the proposal and they have stated that they support the application subject to TfGM cycle hub proposals. The TfGM cycles hubs have already been installed in their proposed locations. A site visit was carried out on 25th May 2022 which revealed that the nearest cycle hub was located across the road at the junction of Oxford Road and Rosamond Street.

Highways have also stated certain restrictions apply to the screen such as no moving images to be displayed and appropriate light settings. The restrictions asked for have been conditioned. On the basis that the screens would be operated in line with the comments made by Highways, the proposed digital screens would be acceptable in terms of their impact on public safety.

Manchester Core Strategy

The Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11 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.

Core Strategy policy SP1 (Spatial Principles) stipulates that development in all parts of the City should:

Make a positive contribution to neighbourhoods of choice including:

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

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Core Strategy policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Core Strategy policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Core Strategy policy DM1 (Development Management) states that all development should have regard to various issues, including:

- Appropriate siting, layout, scale, form, massing, materials and detail
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development.
- Development should have regard to the character of the surrounding area
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes
- Community safety and crime prevention
- Adequacy of internal accommodation and external amenity space
- Refuse storage and collection
- Vehicular access and car parking

Saved UDP policies DC15.1 and 15.2 (Advertisements, Hoardings and Posters) state that the City Council will take into account the impact of advertisements on visual amenity and public safety. When determining applications for free standing hoardings, the Council will take into account several matters, including:

- o The general location of the proposed development and its effect on visual amenity
- o The scope for the hoarding to make a positive contribution to the locality
- o The design of the structure and the relationship with any premises on which they are located
- o The effect of the proposal on the permanent redevelopment of the land
- o The effect of the display on public safety due to the positioning of the design
- o The use of the hoarding to screen vacant sites
- o The contribution that the hoarding makes to disguising or improving unsightly features
- o The number of advertisements in the locality and their cumulative effect on visual amenity
- o The scale of the hoarding within the locality
- o The relationship of the hoarding to areas of high amenity value
- o The likelihood that the advertisement would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size or design.

Saved UDP policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting.

For the above reasons, the proposal is considered to be acceptable and consistent with policies SP1, EN3, CC9 and DM1 of the Core Strategy and saved policies DC15.1, DC15.2, DC18.1 and DC19.1 of the Unitary Development Plan.

Objector's comments

The objector has stated that the Hubs are completely un-necessary pavement clutter in a city which is already almost impossible to walk around. Highways have been consulted on this issue and have said they support the proposals subject to the TfGM cycle hub proposals. The nearest TfGM cycle hub is located on the other side of the road.

The objector has not provided the reference number of the planning application for a bike shed which they refer to so it is not possible to reply to what they have written

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: Approve

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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

1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

Existing and Proposed Elevations 003 Revision B
Site Location Plan 001 Revision B
Removal Kiosk Site Plans - Ref MAN021
Site Location Maps 002 Revision B all received 13th May 2021

Documents

Covering Letter
Conformity with ICNIRP Public Exposure Guidelines ("ICNIRP")
Land Remediation Statement Ref: MAN021
Professional Lighting Guide PLG 05 The Brightness of Illuminated Advertisements
Street Hubs Beyond connection: Supporting local councils with digital street communication
Street Hub Anti-Social Behaviour Management Plan all received 13th May 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

- 3) (a) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs.
(b) No individual advertisements shall be displayed for duration of less than 10 seconds.
(c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel.
(d) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.
(e) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.
(f) The maximum luminance level of the advertisements displayed on the panel should not exceed 600 cd/m² during non-daylight/ inclement weather.

Reason - In the interests of highway safety pursuant to policy SP1 and DM1 of the Core Strategy for the City of Manchester

4) Prior to the commencement of the development hereby approved, a detailed construction management plan outlining working practices during development shall be submitted to for approval in writing by the local planning authority, which for the avoidance of doubt should include:

1. Commentary on types and frequency of vehicular demands together with evidence (including appropriate swept-path assessment) of satisfactory routeing both within the site and on the adjacent highway.

2. A dilapidation survey which should include photographs and commentary on the condition of carriageway / footways on construction vehicle routes surrounding the site.

Development must be carried out in accordance with the approved construction management plan upon commencement of authorised works.

Reason

In the interests of highway safety pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

5) a) The intensity of the illuminance of the advertisement shall be no greater than 600Cdm² during hours of darkness to accord with the recommendations of the ILP publication 'PLG05 The Brightness of Illuminated Advertisements' (2015).

b) The luminance level of the digital sign shall be controlled by a light sensor to adjust the screen brightness to reflect the ambient levels during the daytime and set to a maximum brightness of 600Cdm² during hours of darkness to accord with the recommendations of the ILP publication 'PLG05 The Brightness of Illuminated Advertisements' (2015). In the event of breakdown or malfunction the screen will automatically switch off

c) "The advertisement shall display no special visual effects of any kind during the time that the advertisement is displayed or on transition between advertisements. The displayed image shall not include animated, flashing, scrolling, intermittent or video elements and the transition between successive images shall not include fading, swiping or other animated transition method.

d) The minimum display time for each piece of content on the digital display screens shall be 10 seconds.

e). The interval between each piece of content on the digital display screens shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays

f) Should a fault be detected or reported with the screen or advertisement, the screen will be programmed to automatically switch to a blank screen with black background.

Reason - In the interests of the amenities of the occupiers of nearby premises pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester

6) a)The Communication apparatus hereby approved shall not use voice activated or handsfree technology unless and until a Noise Management Plan (NMP) detailing the control measures including volume and sound levels have been submitted and approved by the LPA. The agreed levels set out within the NMP shall thereafter be permanently maintained".

b) A noise assessment and noise management plan shall be submitted to determine the noise level of the speaker associated with the equipment and agreed by MCC as Local Planning Authority. Once the noise levels have been agreed, the levels will be included within the NMP and shall be complied with thereafter.

c) Once the NMP has been agreed and the unit installed, a verification report will be required to include sound testing to confirm compliance with agreed noise limit.

Reason - In the interests of the amenities of the occupiers of nearby premises pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

7) Notwithstanding the details in Condition 4 a scheme for the reinstatement of pavements must be submitted to and approved in writing by the City Council as local planning authority

Reason

In the interests of visual amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester.

8) Before the development hereby approved commences, a plan must be submitted to and approved in writing by the City Council as Local Planning Authority. The plan must demonstrate how the development will be maintained to ensure the agreed light levels and noise levels are maintained and not exceeded. The plan must include details of remote monitoring and control capability, how the operator is alerted if any fault is detected and details of what action is taken where a fault is identified or reported including response time to undertake repair. The plan must include details of proposed physical inspection and monitoring frequency.

Reason

In the interests of visual amenity pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester

Informatives

1) Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police
Greater Manchester Pedestrians Society
Counter Terrorism Policing North West (CTPNW)
Transport For Greater Manchester

Manchester Metropolitan University Humanities Building, Rosamond Street West, Manchester, M15 6LL

Manchester School Of Management, Booth Street East, Manchester, M13 9SS

Manchester Aquatics Centre, 2 Booth Street East, Manchester, M13 9SS

Royal Northern College Of Music, 124 Oxford Road, Manchester, M13 9RD

Appendix 2 – Planning constraints

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

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

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

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: CITY1