

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130413/FO/2021

Date registered valid: 23 August 2021

Proposal: Installation of 1no. new 2.98m high freestanding double-sided BT Street Hub advertising unit following removal of 2no. telephone kiosks., , , Installation of 1no. new 2.98m high freestanding double-sided BT Street Hub advertising unit following removal of 2no. telephone kiosks.

Address: Pavement On Oxford Road (Outside John Dalton Building Opposite Tesco Express), Manchester, M1 7ED

Ward(s): Deansgate 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: 13 June 2022

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 7 September 2021 Expired: 28 September 2021

Neighbour notifications

Printed: 8 September 2021 Expired: 29 September 2021

Site notice

Posted: 31 August 2021 Expired: 21 September 2021

Press advert

Published: 14 September 2021 Expired: 5 October 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

The proposal sites relates to a section of pavement on the western side of Oxford Road which is a 4 lane highway and busy route into the City Centre. The pavement site is adjacent to a the University of Manchester John Dalton building.

The pavement material consists of yorkstone slabs and in the wider pavement area there are street lamps, cycle storage and bus shelters. The pavement width is quite wide in this area.

The surrounding area is educational/commercial/residential in nature with commercial food and retail outlets on the opposite side of the highway to the proposal site with associated advertisements on their buildings.

The site itself does not contain any kiosks that are being proposed to be removed in this instance.

Description of the proposal

The Proposal - Planning permission is sought for the installation of 1no. new 2.98m high BT Street Hub, incorporating 2no. digital 75" LCD advert screens, and associated BT Phone Kiosk removal.(related to advertisement consent application 130414/AOH/2021). The kiosks to be removed are located a short distance southwards along Oxford Road

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. 130414/AO/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 not resulted in any responses from the public

Highway Services - The BT Street Hub unit retains sufficient footway clearance (as depicted on drawing Site Location Maps Man022 No002A) and therefore does not obstruct pedestrian movement including buggies and restricted mobility/wheelchair users.

The unit does not obstruct vehicle or pedestrian sight lines and does provide adequate clearance from the carriageway.

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

Strategic Development Team - CCG&I have no objections to the removal of these BT phone boxes. Can you please ensure that BT submit details of the making good to the pavements following removal, for your approval.

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 unit is 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 unit to attract or increase incidents of anti-social behaviour and loitering in these high footfall areas. A strategy to disable the unit 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 unit is carefully considered. The proposed unit should be constructed to a robust and adequate standard and should also be securely fixed and vandal-resistant.

Transport For Greater Manchester - No response to the consultation letter

Greater Manchester Geological Unit - no response to the consultation letter

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 and heritage

Across Manchester as a whole, there are many telephone kiosks and more of these payphone kiosks are proposed to be removed than new Street Hubs being installed. The proposal that is the subject of this particular application would involve the removal of 2 traditional telephone kiosks located a short distance southwards along Oxford Road. A new street Hub Structure will be placed 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 in the locations where only 1 telephone kiosk would be removed and replaced with 1 Street Hub elsewhere, the visual amenity would still be improved in the area where the kiosk is removed. On balance it is considered that the installation of a new Street Hub in lieu of the existing telephone kiosks would be acceptable as visual amenity within the area would not be harmed by the proposal.

The structure would be located near to to a listed building but given the fact that elsewhere existing phone boxes would be removed and the new Street Hub would be of a slim and sophisticated design, it is not considered that the proposal would not be detrimental to designated heritage assets and would not detract from their appearance and/or setting of the listed building.

Noise and residential amenity - Environmental Health have been consulted on this issue in relation to other BT Street Hubs at other locations in the city and with regard to the issue of the noise they have recommended the following condition

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.

This condition will be attached to this permission

Disabled Access As stated above, BT Street Hubs have been designed to be accessible to all users and include the following features

- O Tablet interface placed at 1m to provide easy access for wheelchair users
- O Easy-touch 999 call button to ensure it can be used regardless of mobility restriction
- O High-contrast large type labels
- O TalkBack functionality facilitates full access to the tablet for all users
- O Hearing induction loops integrated into each unit Intuitive touch screen interface.

Next Generation Text Relay makes Street Hubs even more accessible to those who are deaf, hard-of-hearing or speech impaired. Using the tablet callers can type words for a Relay Assistant to then speak to the call recipient. The Relay Assistant types back any responses to the caller, allowing for an effective twoway conversation.

Given these features, it is considered that the Street Hub would be acceptable for a variety of disabled users. The pavement along Oxford Road where the Hub is proposed to be installed is wide and the proposed BT Street Hub unit retains sufficient footway clearance (as depicted on drawing Proposed Site Plan 002 Revision A) and therefore does not obstruct pedestrian movement including buggies and restricted mobility/wheelchair users.

Security considerations

The comments of GMP have been considered. There is no street furniture in the vicinity of the proposed Street Hub. A condition requiring a strategy to disable the unit if required in extreme conditions will be attached to this permission

The applicant has expressed that the materials that the hub would be constructed from, primarily aluminium for the structure and tempered and laminated glass for the digital screens, would be robust and durable and be able to withhold abuse and vandalism. In addition, the structure would contain subtle lighting to illuminate the user interface area. It is not considered that the InLink installation would cause any undue security issues. The removal of the phone kiosk would also be of benefit as it would remove a place where people can currently loiter and engage in anti-social behaviour.

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 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 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. The City Council will:

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 DC18.1 and DC19.1 of the Unitary Development Plan.

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) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

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

Drawings

Proposed Site Plan Man 022 No,002 Revision A
Existing and Proposed Elevations 003 Revision A
Site Location Maps 001 Revision A
Removal Kiosk Site Plans - Ref MAN022

Documents

Covering Letter
Street Hub Anti-Social Behaviour Management Plan
Conformity with ICNIRP Public Exposure Guideline ("ICNIRP")
Land Remediation Statement
Professional Lighting Guide 05: The Brightness of Illuminated Advertisements
Street Hubs Beyond connection: Supporting local councils with digital street communication

All of the above drawings and documents received 14 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 policies SP1 and DM1 of the Core Strategy for the City of Manchester

- 4) 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

- 5) 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.

6) 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.

7) Notwithstanding the details in condition 2 and before development commences, 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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Strategic Development Team
Greater Manchester Police
Transport For Greater Manchester
Greater Manchester Geological Unit
Counter Terrorism Policing North West (CTPNW)

Unit 2, Hatch Court, 103 Oxford Road, Manchester, M1 7ED
Unit 1, Hatch Court, 103 Oxford Road, Manchester, M1 7ED
Unit 7, Hatch Court, 103 Oxford Road, Manchester, M1 7ED
Unit 5, Hatch Court, 103 Oxford Road, Manchester, M1 7ED
Unit 4, Hatch Court, 103 Oxford Road, Manchester, M1 7ED
Unit 3, Hatch Court, 103 Oxford Road, Manchester, M1 7ED
Unit 6, Hatch Court, 103 Oxford Road, Manchester, M1 7ED
Precinct Centre, 26 Oxford Road, Manchester, M13 9RN

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