

DELEGATED REPORT

Report by Helen Pressley	Date of report: 01/08/2025	Ref: 72039/FUL
Registration: 09/06/2025	LDfC: 11/07/2025	Expiry Date: 04/08/2025
Site Visit: 20/06/2025	Site Notice: 20/06/2025	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: Installation of 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit and relocation of existing phone kiosk

Location: Pavement at side of Morrisons, Bury New Road, Whitefield, Manchester, M45 8QS

Description

The application relates to an area of pavement outside of Morrisons on Bury New Road. Bury New Road is an A road - the A56 . The area of pavement is located to the west of Morrisons supermarket with a row of commercial properties directly facing the site. The site is located within a district shopping centre. All Saints Conservation Area is located to the south west of the site.

Planning permission is sought for the installation of a hub that measures 1236mm wide and 2986mm high. 2no. LED advertisement panels to the front and rear of a communication hub are also proposed.

Relevant Planning History

71477 - Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit - Refused 17/02/2025

71498 - Installation of 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit and relocation of existing phone kiosk - Withdrawn by Applicant 01/07/2025

72040 - Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit - Pending

Publicity

Site notice posted 20/06/2025

No representations received

Statutory/Non-Statutory Consultations

Traffic Section - Recommendation for refusal due to obstruction of adopted highway and footpath, restriction of visibility from Stanley Road/A56.

Conservation Officer - no objection

Greater Manchester Police - designforsecurity - no comments to make on this occasion

Transport for Greater Manchester - Confirmed that the hub should not interfere with sightline visibility or the use of the bus stop for waiting passengers. General comments

given in relation to reinstatement of adopted highway, servicing, sightlines, footway widths and deferring to the Local Highway Authority to ensure that the apparatus is installed at a satisfactory distance from the highway in terms of vehicle strike and sightline visibility.

Pre-start Conditions - Not relevant

Development Plan and Policies

S1/3	Shopping in District Centres
EN1/9	Advertisements
EN1/2	Townscape and Built Design
JP-P1	Sustainable Places
EN1/10	Telecommunications
EN1/4	Street Furniture
HT5/1	Access For Those with Special Needs
JP-C5	Streets For All
JP-C6	Walking and Cycling
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and

Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Layout and Design

NPPF Paragraph 141 states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be considered on their impact on amenity and safety. UDP Policy EN1/4 - Street Furniture states that the Council will encourage the provision of suitably located and well designed street furniture which satisfies the requirements of pedestrians, shoppers and other uses and enhances the character and appearance of the urban street scene including open spaces.

UDP Policy EN1/2 - Townscape and Built Design seeks to protect the character and townscape of the boroughs towns. PFE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

It is proposed to install a freestanding hub measuring around 2980mm in height and 1236 mm wide. The hub would provide LCD advertisement screen on either side. The proposed hub would be sited around 500mm from the road, to the south of the existing bus shelter. The applicant states that the installation of the proposed hub would support the telephony and wi-fi coverage of the area. It is intended to replace the existing telephone kiosk to the south of the site, outside the metrolink entrance, with the proposed hub.

This proposed site is located on a cluttered stretch of public footpath with a bus shelter, bins, lighting columns and junction boxes, railings, bollards and an area of soft landscaping associated with the adjacent supermarket all located within the immediate vicinity of the site.

Although the applicant describes the siting of the proposed hub as within a wide section of pedestrian footpath part of this footpath falls outside of the adopted highway and is under the ownership of the adjacent supermarket. This area is clearly demarcated with an area of paving that differs from the adopted highway and could be utilised by the neighbouring site for an alternative use in the future eg bike stands, soft landscaping, as can already be seen to the south of the proposed hub. The width of the pavement is therefore much narrower in this location than suggested on the proposed site plan which indicates a width of 4160mm would be retained. In fact an area of 1800mm would be retained.

The proposed hub would be relatively tall and wide, formed of a solid rectangular design and would markedly increase the visual presence of street furniture within the pavement which as described is already a busy space. Furthermore, given its proposed siting across the pavement, so perpendicular to the road, it would reduce visual permeability up and down Bury New Road towards the bus stop. Whilst acknowledged that the site is commercial in nature, and that there are other styles of advertisements and street furniture

within the locale it is considered that the introduction of additional street furniture of the height and width proposed and within an already cluttered street scene would cause a detrimental increase in street furniture on this stretch of pavement causing unacceptable harm to the visual amenity of the street scene. The location of the proposed hub would represent an incongruous structure in its proposed position and would conflict with desired sight and pedestrian lines along Bury New Road. As such the proposal would conflict with the aims of the policies set out above.

All Saints Conservation Area is separated from the site by the A56, and is located adjacent to a more modern shopping centre. Given this relationship, and the existing proliferation of street furniture in this location. It is not considered that the proposal would have an adverse impact on the character of the Conservation Area.

Highway Safety

In addition to the policies set out above PfE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

The proposed location is adjacent to an existing bus stop, however as the equipment is proposed past the shelter, it should not interfere with sightline visibility or the use of the bus stop for waiting passengers.

As set out above the area of adopted highway where the equipment is proposed to be sited is actually much narrower than indicated on the proposed site plan. The proposal would therefore retain an area of footway that is approximately 1800mm wide. This would not meet the minimum footway width of 2 metres that TfGM have confirmed needs to be retained to ensure pedestrian movements are unimpeded. There is also a street lighting column, and BT chamber 1600mm to the north of this narrowed area of footpath and an existing bus stop to the north leading to an installation that would interrupt natural pedestrian desire lines and forcing pedestrians to utilise the area of land to the east of the site that is not adopted pavement and outside of the control of the Local Highway Authority and the applicant.

The plans do not show the junction to the south of the site at Stanley Road/A56 Bury New Road and in the absence of this information the Local Highway Authority would consider that the siting of the hub would restrict visibility to sub-standard levels to the right on egress in the event of an 'all red'/signal failure of the signalised junction at Stanley Road/A56 Bury New Road, which would be detrimental to highway safety.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The proposal would result in an unnecessary and unacceptable obstruction of the existing adopted highway on the A56 (Bury New Road) in close proximity to the existing bus stop and the creation of additional street clutter for an installation that

primarily consists of an advertisement screen, which would be detrimental to pedestrian safety, maintaining existing pedestrian desire lines on the adopted highway on Bury New Road and contrary to the active travel aspirations of the Council. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/9 - Advertisements, EN1/4 - Street Furniture, EN1/2 Townscape and Built Design, JP-P1 Sustainable Places, JP-C5 Streets for All, JP - C6 - Walking and Cycling and the National Planning Policy Framework.

- 2 The proposal would restrict visibility to sub-standard levels to the right on egress in the event of an 'all red'/signal failure of the signalised junction at Stanley Road/A56 Bury New Road, which would be detrimental to highway safety. The proposed development therefore conflicts with the following policies of the Development Plan: EN1/9 - Advertisements, EN1/4 - Street Furniture, EN1/2 Townscape and Built Design, JP-P1 Sustainable Places, JP-C5 Streets for All, JP - C6 - Walking and Cycling and the National Planning Policy Framework.
- 3 The proposed development by virtue of their size and siting would appear as an incongruous addition to the street scene which would be severely detrimental to both the appearance of the streetscene and to the general visual amenities of the area contrary to Development Plan Policies EN1/9 - Advertisements, EN1/2 - Townscape and Built Design, EN1/4 - Street Furniture, JP-P1 Sustainable Places and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP	01/08/2025	DM	01/08/2025