

Planning

Growth & Development

Delegated officer report for planning application

Application no.	130459/AOH/2021
Date registered valid:	10 September 2021
Proposal:	Retention of LED advertisement hoarding to side of office building (elevation facing Greenheys Lane West)
Address:	1 Archway, Manchester, M15 5QJ
Ward(s):	Hulme Ward
Applicant:	Mr David Derbyshire Astra Signs Ltd. Unit 1 First Avenue, Manchester, M17 1JZ
Agent (if any):	Mr David Derbyshire Astra Signs Ltd. Unit 1 First Avenue, Manchester, M17 1JZ
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	27/10/21

Application details

Type of application:	Advertisement Hoardings Consent
Development type:	Advertisements
Date of site visit:	27/10/21

Standard consultations:

Printed: 17 September 2021 Expired: 8 October 2021

Neighbour notifications

Printed: 17 September 2021 Expired: 8 October 2021

Site notice

N/A

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Part 3/part 4 storey office block at the junction of Princess Road/Greenheys Lane West. Asda and KFC car park located to the south, while the brewery is located to the southeast.

Listed Building: no
Conservation Area: no
Tree Preservation Order: no

Description of development

Retention of LED advertisement hoarding to side of office building (elevation facing Greenheys Lane West).

The sign is currently switched off but the photo below shows it in use under the previously approved temporary consent (103962/AOH/2013/S1), which lapsed in November 2018.



Consultations & Notification Responses

Local Businesses/Members of the Public – No comments received.

Highway Services – No objections and suggests the imposition of the condition (controlling cdm² and moving images) that was attached to the previous consent.

Policies

Core Strategy Development Plan Document – 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 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. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – 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 and protect and enhance the built and natural environment.

DM1, Development Management – This policy states that all development should have regard to a number of specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant specific issues are detailed below:-

- 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.

Saved UDP Policy 15, *Advertisements, Hoardings and Posters* – DC15.1 states that the Advertisement Regulations require that applications for advertisements be considered only in the interests of amenity and public safety. In determining applications for free standing hoardings and wall mounted posters the Council will take account of the following matters in assessing these interests:

- a) the general location of the proposed development and the effect on visual amenity;
- b) the scope for posters and hoardings to make a positive contribution to the locality;
- c) the design of the structures, and the relationship with any premises on which they are located;
- d) the effect of the proposal on permanent redevelopment of the land;
- e) public safety resulting from the positioning of the design of the display;
- f) the ease with which the structure is capable of being satisfactorily maintained;
- g) the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
- h) the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development;
- i) the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
- j) the number of advertisements in the locality and their cumulative effect on visual amenity.

Policy DC15.2 states that in assessing the interests of amenity and safety the Council will take account of the following criteria:

- a) developments of this kind should not harm the character or architectural features of a building, nor interfere with its proper use;
- b) they should be in scale with the locality and relate properly to the site on which they stand;
- c) they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;
- d) a proposal which would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size, or design will not be permitted.

Issues

Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 local planning authorities are required to exercise their powers under the Regulations with regard to amenity and public safety, taking into account relevant development plan policies in so far as they relate to amenity and public safety, and any other relevant factors.

The definition of “amenity” includes both visual and aural amenity. Therefore as well as visual amenity, the noise generated by advertisements should be considered. “Public safety” is not confined to road safety. Crime prevention and detection are relevant; the obstruction of highway surveillance cameras, speed cameras and security cameras by advertisements is now included.

Amenity –It is not considered the proposal would have a detrimental impact upon visual and aural amenity given that it is sited a considerable distance from the nearest dwellings closest to the application site.

Public Safety – The sign has been in operation for sometime and no reports of accidents attributed to this sign have been reported. Given this and the fact that it is off-set to the west of the junction, i.e. not directly in front of drivers heading north along princess Road, it is considered in this instance that the proposed sign will not prove to be a distraction and therefore be injurious to current levels of pedestrian and highway safety.

Notwithstanding the above, it is considered prudent to attach the condition suggested by Highway Services, which would limit the brightness sign, as well as which part of it could display moving images.

Accordingly, it is considered that the proposal complies with policies DM1 and SP1 in the Core Strategy Development Plan Document and saved policy DC15.1 of the UDP

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 with the applicant in a positive and proactive manner to resolve any problems arising in relation to dealing with the planning application.

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 drawings and supporting documents stamped as received on 18 May 2021 and 10 September 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 lower half of the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs or traffic signs.

(b) No individual advertisements shall be displayed for a 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 shall not exceed 300 cd/m².

(g) The advertisements to be displayed on the LED advertisement hoarding hereby approved shall relate solely to the applicant's business or be community related broadcasts.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

Appendix 1 – List of consultees & neighbours notified

Highway Services

KFC Restaurant, 97 Greenheys Lane West, Manchester, M15 5FG
Brewery, Denmark Road, Manchester, M15 6LD

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

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: SOUTH