

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131479/AOH/2021

Date registered valid: 24 August 2021

Proposal: Replacement of 4 no. existing externally illuminated 48 sheet advertising panels with 2 no.48 sheet digital LED advertising display.

Address: Land And Buildings On The East Side Of Waterloo Road , Manchester, M8 8AE

Ward(s): Cheetham Ward

Applicant: CCUK C/o Agent

Agent (if any): Mr Philip Allard Wildstone Planning 22 Berghem Mews, Blythe Road, London, W14 0HN

Case officer: Katie
Tel: 0161 234 Raw
Email: katie.raw@manchester.gov.uk 4164

Recommendation: Approve

Date of recommendation: 19 October 2021

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 20 September

Standard consultations:

Printed: 2 September 2021

Expired: 23 September 2021

Neighbour notifications

Printed: 2 September 2021

Expired: 23 September 2021

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site relates to Land And Buildings On The East Side Of Waterloo Road, within the Cheetham ward of North Manchester. The application site lies easterly on Waterloo Road, a major ariel road. The area adjacent to the site is residential and the wider area is predominately residential in nature. However, the application site lies within a cluster of commercial properties on green space, in front of a low rise industrial /commercial units. The site currently consists of 4 freestanding illuminated advertisement panels, with approximate dimensions of 6x3 metres. This is known as a 48 sheet. At the time of the site visit, the hoardings appeared to be unused and poorly maintained.

Description of development

This application seeks advertisement consent for the replacement of 4 no. existing externally illuminated 48 sheet advertising panels with 2 no.48 sheet digital LED advertising display. The development would upgrade the existing advertisement boards at the site. The advertisements' size would remain the same and the depth of the advertisement structure would be reduced. Both digital LED advertising displays would have dimensions of Height: 3 x Width: 6 x Depth: 0 metre(s). They would be made of lightweight digital LED panels and the maximum height of any individual letters/symbols would be 300cm. The display would be multicoloured and would be

internally illuminated, with luminance levels of 200cd/m². Within the application the illumination was stated to be static. After an email conversation on 3rd September the agent confirmed that the advertisements would be displayed in sequential rotation every 10 seconds. This is known in planning terms as sequential illumination, not static as stated by the agent.

Planning history

126725/AOH/2020- Land at Waterloo Road. Installation of 2 no. 48 sheet freestanding digital adverts following removal of 4no. externally illuminated billboards.

Application refused on 25 June 2020; application allowed through appeal on 21 October 2020.

The application subject to assessment through this report is a resubmission of the application 126725/AOH/2020. The revised application alters the location of the 2 displays. The new submission positions the 2 displays as far apart as possible, facing into the meadow at a right angle. The old submission located the 2 displays close to each other, located nearer Waterloo Road. The current application was submitted due to changes with the operator's preferences and the belief that the signs would have less of an impact to visual amenity. The 2 signs would now be separated by a wildflower meadow.

The agent states the site has been used for advertisement display for 10 years. No formal planning record other than the one above is recorded within the planning system.

Consultations & Notification Responses

Local residents

The occupiers of the surrounding properties were consulted, and no representations were received.

Highway Services

Highways reviewed the proposal and commented that the proposed sign is not located on and nor would it project over the adopted highway network. As such, a Projection over License would not be required. In addition, there is sufficient carriageway and height clearance. Highways were satisfied with the proposed luminance level of 200 cd/m² against the maximum of 600cd/m² and were satisfied with the location of the signs in relation to passing vehicles and pedestrian conflicts. As such, Highways had no objection in principle, but recommended that several conditions were placed on any planning approval.

Environmental Health

Environmental Health commented on the application. Whilst their preferred recommendation would be to refuse on the grounds of amenity, due to the location and proximity of the proposed advertising screens to residential properties, Environmental Health were mindful of the Planning Inspectorate decision to approve the previous scheme along with the Planning Teams opinion following this decision. Therefore, several conditions would be placed on any planning approval. Part 1a lists conditions similar to those given by Highway Services and sets out how the screens must be lit and controlled. Part 1b asked that prior to use, a verification report would be required to validate that the work undertaken throughout the installation conforms to the conditions within Part 1a. These conditions were sent to the agent for consideration on 22 September. The agent stated that Part 1b was unacceptable and was not implemented under

the appeal decision. Therefore, after conversations with the agent, the Principal Planning Officer and Environmental Health, a decision was made on 23 September 2021 that Part 1b would be removed from any permission granted.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. National Planning Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 12- Achieving well-designed places

Paragraph 126 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. It further states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 136 states that the quality and character of places can suffer when advertisements are poorly sited and designed. It acknowledges that a separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective.

Town and Country Planning (Control of Advertisements) Regulations 2007

The local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- (1)
 - (a) The provisions of the development plan, so far as they are material; and
 - (b) Any other relevant factors.
- (2) Without prejudice to the generality of paragraph (1)(b)
 - (a) Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
 - (b) Factors relevant to public safety include:
 - (i) The safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) Whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
 - (iii) Whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.
- (4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any

limitation or restriction relating to the subject matter, content or design of what is to be displayed. The regulations state the factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1(Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: 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.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC15.1 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.

DC15.2 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.

DC15.3 Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect safety and amenity.

Policy E3.3 The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

ISSUES

According to the NPPF (Chapter 12) the main issues for consideration relate to the impact of the proposals on visual amenity and public safety.

Principle

The application site has an established use as advertisement hoardings along this part of Waterloo Road. The proposed signage is commensurate with additional hoardings positioned further north on Waterloo Road, and smaller business signs along the road. The allowed appeal of the previous application (126725/AOH/2020) should be viewed as material consideration.

Visual amenity

The 2 digital displays would sit at the back of the site, as far away from one another as possible and would face onto the meadow area at a right angle. As the displays would be set back from Waterloo Road, it is envisaged that the displays would have less of an adverse impact on the adjacent neighbouring properties than is currently the case. The relocation of the signage to either end of the site would have a reduced visual impact. The signs would be viewed as 2 separate signs and only 1 could be properly viewed at one time. The proposal is considered to be sited at an appropriate height and position.

The advertisements size would remain the same and the depth of the advertisement structure would be reduced. Therefore, the proposed digital displays would not drastically alter the current architectural form of the site or the wider commercial area on the east of Waterloo Road.

Since the proposal replaces 4 advertising panels with 2 advertising displays, there is a reduction in the number of signs. This would help minimise impacts to the neighbouring properties, as the displays would be less of an overbearing feature within the streetscene, and in turn unnecessary clutter would be reduced. The benefits of the reduction were recognised by the Planning Inspectorate within the application appeal (126725/AOH/2020), who stated the proposal would not contribute an overdominant feature. In addition, the current panels appear poorly maintained and a detriment to visual amenity. Upgrading the signs would create a more modern and aesthetically pleasing signs.

The meadow planting proposed in front of the 2 advertising displays would add soft landscaping to the site and would be a benefit to residential amenity. Waterloo Road consists of hard landscaping as a major aerial road and so this planting would be welcomed to make a positive contribution within the locality. It would also be beneficial for emission reduction close to Waterloo Road.

Since the levels of luminance would be controlled under the conditions attached to any approval including the timing and method of operation, as well as appropriate luminance levels, there is sufficient mitigation to ensure the illuminated signs would not harm the living conditions of nearby residents.

Public safety

Each of the proposals comply with MCC recommendations, in terms of proposed luminance levels, sufficient carriageway and height clearance. A condition, with multiple parts, placed on any approval would ensure the proposal continues to comply with MCC regulations. As expressed by the Planning Inspectorate (126725/AOH/2020) in the main, only 1 advertisement would be visible at one time for oncoming traffic and so would not obscure a driver's vision. Therefore, in relation to public safety the proposal is not considered to cause a distraction to road, rail, or pedestrians.

Conclusion

On balance it is considered that the proposal is suitably related to the streetscene and context, in terms of the advertisements' measurements and siting and are therefore considered to be commensurate with Core Strategy policies DM1, EN1 and SP1 and saved UDP policies DC15 and policy E3.3, and NPPF Chapter 12.

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

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:

- Application for consent to display an advertisement(s) form, stamped as received by the City Council, as Local Planning Authority on 24 August 2021.
- Drawing- Existing & Proposed- Plans and Elevations, numbered Drawing Pack, stamped as received by the City Council, as Local Planning Authority on 24 August 2021.
- Drawing- Location Plan, stamped as received by the City Council, as Local Planning Authority on 24 August 2021.
- Correspondence- Covering Letter, stamped as received by the City Council, as Local Planning Authority on 24 August 2021.
- Supporting Information- Additional Information on Advertisement, stamped as received by the City Council, as Local Planning Authority on 3 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) Digital display:

- (i) 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.
- (ii) No individual advertisements shall be displayed for duration of less than 10 seconds and the change between advertisements shall be instantaneous with no visual effect between each advertisement.
- (iii) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel.
- (iv) 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.
- (v) The maximum luminance level of the advertisements displayed on the panel shall not exceed 200 cd/m² during non-daylight hours / inclement weather
- (vi) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.

Reason - To safeguard the amenities of the occupiers of nearby properties and in the interests of pedestrian and highway safety and in order to safeguard the amenities of the area pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and policy DC15 of the Saved Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Stanley N Hyman, 170 Waterloo Road, Cheetham, Manchester, M8 8AD
Workshop, 170 Waterloo Road, Cheetham, Manchester, M8 8AD
170 Waterloo Road, Cheetham, Manchester, M8 8AE
MNA Exports, 170 Waterloo Road, Cheetham, Manchester, M8 8AD
2H Barrow Hill Road, Manchester, M8 8DB
1 Stephen Oake Close, Manchester, M8 8AZ
165 Waterloo Road, Cheetham, Manchester, M8 8BT
163 Waterloo Road, Cheetham, Manchester, M8 8BT
157 Waterloo Road, Cheetham, Manchester, M8 8BT
155 Waterloo Road, Cheetham, Manchester, M8 8BT
151 Waterloo Road, Cheetham, Manchester, M8 8BT
147 Waterloo Road, Cheetham, Manchester, M8 8BT
169 Waterloo Road, Cheetham, Manchester, M8 8BT
159 Waterloo Road, Cheetham, Manchester, M8 8BT
First Floor Offices, 123 - 129 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 16, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 15, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 14, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 13, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 12, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 11, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 10, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 9, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 8, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 7, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 6, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 5, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 4, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 3, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 2, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 1, 143 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 16, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 15, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 14, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 13, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 12, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 11, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 10, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 9, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 8, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 7, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 3, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 6, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 5, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 4, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 2, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
Flat 1, 141 Waterloo Road, Cheetham, Manchester, M8 8BT
167 Waterloo Road, Cheetham, Manchester, M8 8BT
161 Waterloo Road, Cheetham, Manchester, M8 8BT

153 Waterloo Road, Cheetham, Manchester, M8 8BT
149 Waterloo Road, Cheetham, Manchester, M8 8BT
145 Waterloo Road, Cheetham, Manchester, M8 8BT
135 Waterloo Road, Cheetham, Manchester, M8 8BT
137 Waterloo Road, Cheetham, Manchester, M8 8BT
133 Waterloo Road, Cheetham, Manchester, M8 8BT
131 Waterloo Road, Cheetham, Manchester, M8 8BT

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1