

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131210/AO/2021

Date registered valid: 30 July 2021

Proposal: Erection of an illuminated advert measuring 10 x Width: 16.5m mounted to temporary scaffolding including 8 no. external lights for a temporary period until 31 May 2022

Address: 72 Oldham Street, Manchester, M4 1LF

Ward(s): Piccadilly Ward

Applicant: Mr Keith Miller blowUP media UK Ltd The Media Centre, 3 - 8 Carburton Street, London, W1W 5AJ

Agent (if any):

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Temporary approval

Date of recommendation: 15 September 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 13 August 2021 Expired: 3 September 2021

Neighbour notifications

Printed: 13 August 2021 Expired: 3 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

Listed building: Not applicable

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order:

Description of Site/Area

The application site relates to a construction site which is being redeveloped following the demolition of a building due to fire damage. The site is located within the Stevenson Square Conservation area.

Planning permission was granted in 2016 referenced 110074/FO/2015/C2 for the demolition of existing building and site structures and construction of 2no. mixed use buildings (Buildings A and B). Building A - Part 4, part 5, part 6 and part 8 storey building including ground floor and plus basement with ancillary facilities services and commercial use (A1, A3, B1) at ground floor and basement levels, 72 residential apartments (C3) above and 2 green roofs. Building B - Part 3 and part 5 storey building including ground floor and plus basement with 100 cycle parking spaces, building services and commercial space at basement level and 9 car parking spaces, ancillary facilities and services and commercial space (A1, A3, B1) at ground floor level and 28 residential apartments (C3) above and 1 green roof.

Description of Development

The submitted application seeks planning permission for the erection of an illuminated advert measuring 10 x Width: 16.5m mounted to temporary scaffolding including 8 no. external lights for a temporary period until 31 May 2022.

Consultations & Notification Responses

Local residents were notified and 1 response was received. Comments made can be summarised as follows:

An illuminated advert would worsen rest and sleep conditions in our home because it would cause bright lights, both from the illuminated advert itself and the eight proposed external lights surrounding it, to shine into our flat from the street. In addition to this, an advert of this size will be unsightly during the day time.

I am able to tolerate the loud noises from the construction site because I know they are a necessary part of the planned work in the area. However, putting up an advert is not needed in order to complete this work so I do not think it is reasonable to erect it at the expense of residents.

I think the erection of this advert would negatively impact ability to rest and health.

Environmental Health - Based on the information submitted with regard to the maximum lighting levels and the hours the banner will be illuminated, I do not have any comments to make.

Highways - The adopted footway extends to the building line of the property and therefore it should be ensured that all necessary scaffolding licensing is in place.

It is anticipated that the proposed advert will not give rise to driver distraction on the adjacent highway network given that all imaging will be static, without flashing lights.

It has been confirmed the banner will not cause any obstruction to the existing signage/ traffic control signals on the adjacent highway.

The illumination proposed is considered acceptable in principle as it is unlikely to cause glare or distraction to road users and will not exceed a maximum luminance of 300cd/m².

It is requested that the maximum luminance of the signage should not exceed 300cd/m² during non-daylight hours.

The advert is to be located in excess of minimum headroom requirements and therefore adequate clearance for pedestrians has been accommodated.

The applicant should be advised that 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

Policies

The main issues for consideration relate to the impact of the advertisements on visual amenity and the character and appearance of the listed building and the surrounding George Street Conservation Area and on public safety. The main policies that relate to the proposals are Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, policies EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester, paragraphs 2.6 and 2.20 of the Guide to Development in Manchester SPD and

saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Principle of Development

Hoardings of the nature proposed are only generally acceptable if they are associated with legitimate works to a site or building. The rationale being that the temporary banners will give the building a more attractive appearance within the street scene than the scaffolding alone would.

The applicant has provided a contract of works and demonstrated that the advertisement would only be installed in association with works taking place on site and would be taken down along with the scaffold once the works are complete. Display of advertisements on scaffolding can cause unnecessary continued use of scaffolding and this has a negative impact on visual amenity as well as affecting pedestrian access including for disabled people.

In this context it is therefore considered that the proposed hoarding would relate to legitimate works to the building and would relate properly to the site on which it would stand and that as such on a temporary basis the location of the proposed advertisements and its impact upon visual amenity will be acceptable.

Residential and Visual Amenity

Hoardings of the nature proposed are generally acceptable only if they are associated with legitimate works to a site or building. The rationale being that the temporary banners will give the building a more attractive appearance within the street scene than the scaffolding alone would. The applicant has demonstrated that development is taking place on the site. In this context it is therefore considered that the proposed hoarding would relate to legitimate works and would relate properly to the site on which it would stand. It is considered that the banner would mitigate the visual effect of the unsightly scaffold which would contain works during the construction period.

The advertisement would affect the setting and character of the Stevenson Square Conservation Area would be mostly covered by a shroud, with or without the installation of the proposed advertisement. The proposed scaffold wrap would cause less than significant harm to the character and appearance of the Stevenson Square Conservation Area however would improve the visual amenity of the scaffold and construction site whilst works are underway.

This harm is justified by the temporary nature of the works and the funding that this would generate to improve the condition and future structural integrity of a building which lies within a conservation area and affects the setting of the above listed buildings/

As such on a temporary basis the location of the proposed advertisement and its impact upon visual amenity and the heritage assets is considered to be acceptable.

Taking into account the neighbour objection to the application, the applicant has agreed to limit illumination hours between 7am-11pm only in order to ensure no unacceptable impacts to neighbouring occupiers. Environmental health are satisfied that these controls would be satisfactory.

The objection received for this application relates to the existing scaffolding surrounding the building and not the signage which is being applied for via this application.

Given the above, it is considered that the proposals are acceptable in terms of residential amenity in accordance with policies DC15.2 (Advertisements, hoardings and Posters) and H2.2 (Housing) of the Unitary Development Plan for the City of Manchester and Policy DM1 (Development Management) of the emerging Core Strategy for the City of Manchester.

Public Safety

No issues have been raised by either Environmental Health or Highways.

Other issues:

A neighbour objection was received raising concerns regarding illumination during hours of darkness. The applicant has agreed to a condition limit illumination hours between 7am-11pm only in order to ensure no unacceptable impacts to neighbouring occupiers. Environmental health are satisfied that the proposed advertisement would not give rise to any unacceptable impacts with regards to impact of residents.

Given the above, the proposals are considered to be in accordance with policies Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, policies EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester, paragraphs 2.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

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: Temporary approval

Article 35 Declaration

Officers have worked with the applicant / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application, appropriate conditions were included with the agreement of the applicant in this case.

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

1) a) The express advertisement consent hereby granted is for a temporary period and shall expire on 31 May 2022.

b) On the date of the expiry of the express consent period, as defined above (part a), the display of the advertisement hoarding(s) and all associated development shall be fully removed, any use of the land authorised by this express consent shall be discontinued.

Reason - To enable the City Council to consider the acceptability of the continuance of the display of the advertisement hoarding(s) at the site on the expiry of the period of express consent, having regard to visual amenity and changing circumstances in the locality in order to comply with policies DM1 of the Core Strategy and saved Policy DC15 of the Unitary Development Plan for the City of Manchester.

2) 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.

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

Site Location Plan Drawing No PY3441/001, stamped as received by the City Council as local planning authority on 07 May 2021.

Drawings ref. PY3441/005, PY3441/006, PY3441/007, PY3441/003 and PY3441/004, stamped as received by the City Council as local planning authority on 07 May 2021.

Covering Letter, stamped as received by the City Council as local planning authority on 07 May 2021.

Lighting specification, stamped as received by the City Council as local planning authority on 07 May 2021.

Contract of works regarding construction dates, stamped as received by the City Council as local planning authority on 07 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 and saved Unitary Development Plan policy DC15.

4) a) External lighting must be designed and installed so as to control glare and overspill of light onto nearby residential properties and in accordance with the approved documents as specified in condition 3.

b) Notwithstanding the approved plans and documents as specified in condition 3 the advertisements shall be implemented and operated in accordance with the following:

- Advertisements shall not be illuminated outside the hours of 7am to 11pm daily;
- The maximum luminance of the advertisements should not exceed 300cd/m² at any time; and
- Energy efficient LED lighting shall be used for illumination.

Reason - To safeguard the amenities of the occupiers of nearby properties and promote energy efficient development in accordance with Policies SP1 and DM1 of the City of Manchester Core Strategy and saved Unitary Development Plan policy DC15.

Informatives

1) - The adopted footway extends to the building line of the property and therefore it should be ensured that all necessary scaffolding licensing is in place.

-The applicant should be advised that 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
Transport For Greater Manchester
Greater Manchester Pedestrians Society

Unit 3, 5 Warwick Street, Manchester, M1 1AH
Unit 2, 5 Warwick Street, Manchester, M1 1AH
Unit 1, 5 Warwick Street, Manchester, M1 1AH
6 - 8 Houldsworth Street, Manchester, M1 1EJ
5 Warwick Street, Manchester, M1 1AH
Flat 2, 119 Oldham Street, Manchester, M4 1LN
Flat 1, 119 Oldham Street, Manchester, M4 1LN
Basement And Ground Floor, 119 Oldham Street, Manchester, M4 1LN
84 - 86 Oldham Street, Manchester, M4 1LF
68 - 70 Oldham Street, Manchester, M4 1LF
117 Oldham Street, Manchester, M4 1LN
2A Houldsworth Street, Manchester, M1 1EJ
Flat 9, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 6, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 4, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 1, 84 - 86 Oldham Street, Manchester, M4 1LF
86 Oldham Street, Manchester, M4 1LF
125 Oldham Street, Manchester, M4 1LN
88 Oldham Street, Manchester, M4 1LF
Flat 4, 2 Houldsworth Street, Manchester, M1 1EJ
Flat 3, 2 Houldsworth Street, Manchester, M1 1EJ
Flat 2, 2 Houldsworth Street, Manchester, M1 1EJ
Flat 1, 2 Houldsworth Street, Manchester, M1 1EJ
4 Houldsworth Street, Manchester, M1 1EJ
Flat 10, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 8, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 7, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 5, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 3, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 2, 84 - 86 Oldham Street, Manchester, M4 1LF
123 Oldham Street, Manchester, M4 1LN
111 - 115 Oldham Street, Manchester, M4 1LN

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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Stevenson Square Conservation Area 1987
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CITY2