

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130079/AO/2021

Date registered valid: 12 May 2021

Proposal: Installation of 3no non illuminated monolith style standalone signage boards on aluminium metal backed signs boards

Address: Heaton Park , Middleton Road, Manchester, M25 2SW

Ward(s): Higher Blackley Ward

Applicant: Mr John-Luke Smith Manchester City Council Capital Programmes & Procurement, Level 8 Town Hall Extension, Lloyd Street, Manchester, M2 5HD

Agent (if any):

Case officer: Janet Lawless
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Recommendation: Approve

Date of recommendation: 25 July 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 25th May 2021

Standard consultations:

Printed: 19 May 2021 Expired: 9 June 2021

Neighbour notifications

Printed: 19 May 2021 Expired: 9 June 2021

Site notice

Posted: 25 May 2021 Expired: 15 June 2021

Press advert

Published: 25 May 2021 Expired: 15 June 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II Listed Park

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of site/building

This application relates to the erection of non- illuminated totem signage for visitor facilities including the new Tree Top Trek/ Nets and the existing football pitches in Heaton Park in the Blackley area of North Manchester.

Heaton Park is registered as a Grade II landscape under the Historic Buildings and Ancient Monuments Act 1953 within the Register of Historic parks and Gardens by Historic England for its historic interest. Within the park landscape there are nine listed structure of Grade I, Grade II* and Grade II status.

Description of development

The Proposal

Advertisement consent is sought for the installation of:

3no monolith style standalone signage boards on aluminium metal backed signs boards; 2no signs contain way finding directions to the tree top trek and nets, and 1no for way finding directions to the football pitches.

The signs are 2000mm high x 800mm wide x 50mm deep; the sign is constructed from 3mm thick aluminium sheets welded together with flush and smooth joints.

The bottom of the sign is located in a 150mm aluminium tray which is filled with resin bound gravel.

The proposed signage would enhance the directional signage already in place throughout the park providing direction to the various leisure facilities within Heaton Park. The design and dimensions match those already in place giving direction to the garden centre bowling club and cafe. The new signage is for the Tree Top Trek and Nets (2) and the Football Pitches (1).

Description of area

The remainder of the area is predominantly residential in nature.

Consultations & Notification Responses

Local residents were informed- no representations have been received.

A site notice was displayed and advertisements in the press- no representations have been received from either method.

Bury Metropolitan Council- no comments received

Tree Top Trek- No comments received

Arboriculturist- No objections subject to the attachment of a condition to any consent granted relating to tree protection.

Issues

The Advertisement Regulations (2007) state that a local planning authority shall exercise its powers under the Regulations in the interests of amenity and public safety, taking into account: (a) the provisions of the development plan, so far as they are material; and (b) any other relevant factors.

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.

National Planning Policy Framework - This sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

The NPPF confirms that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Section 12 of the NPPF outlines the Government's objectives in terms of conserving and enhancing the historic environment. Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local

planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 132 goes on to state that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Paragraph 134 states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

This scheme has been designed to respect the character and appearance of nearby heritage assets and is in broad accordance with the requirements of NPPF. The proposed signage would replicate the signage that has previously been erected for the purposes of directional signage for visitor destinations in the park, including the garden centre, cafes, animal centre, rowing boat hire, and golf and bowling centres in the historic park.

Core Strategy

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.

The following specific policies are considered to be particularly relevant to the proposed development:

Policy EN 3 (Heritage) - this states that throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset. It is considered that the proposed scheme has been designed to be sympathetic to the character and appearance of the listed park and nearby heritage assets. The proposal would improve the signage for the visitor facilities within the historic park, and thus aid the experience of visitors using the historic park and, help to facilitate increased visits to the park by the public .

Policy DM1 of the Core Strategy sets out that development should have regard to:

- 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.

Unitary Development Plan - saved policies

Saved policy DC15.1 advises that applications for advertisements be considered only in the interest of amenity and public safety.

In determining applications for free standing hoardings and wall mounted posters the Council will take account of :-

- 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.

Saved policy DC15.2 advises 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.

Saved UDP policy DC19.1 (Listed Buildings) states that in determining applications for listed building consent or applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to, amongst other things, protecting their general setting. The Council will seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity. The proposed signage would be facility signage, for visitor destinations in the park, and enhanced signage to help to facilitate increased visits to the park by the public with minimal impact on the listed buildings and structures within the park.

For the above reasons, the proposal is considered to be acceptable and consistent with policies EN3 and DM1 of the Core Strategy and saved policies DC15.2 DC19.1 of the Unitary Development Plan.

Issues

Amenity - By virtue of the location and size of proposed signs the impact on visual amenity and the character of the listed park is considered to be acceptable. The signs have been designed and located to improve wayfinding, and to relate to the setting of the listed building within the historic park. The signage is considered to accord with saved policies DC15.1 and DC15.2 of the adopted Unitary Development Plan, and policy EN3 of the Core Strategy.

The proposed signage is not considered to give rise to unacceptable cumulative impacts on visual amenity within the locality given the location, size and positioning of the proposed signs.

Public Safety - It is considered that there are no issues of public safety.

Conclusion -On balance it is considered that the impact of the works on the character and appearance of the listed park would not diminish the historic qualities of the landscape and are therefore acceptable.

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

The local planning authority in making its decision has had due regard to paragraph 187 of the National Planning Policy Framework as well as the development plan, national planning policy and other material considerations and has approved the application for the reasons outlined in this delegated report. The scheme is considered to be in accordance with the guidance contained within policies EN3, and DM1 of the Core Strategy, and saved UDP policies DC 15, and DC19.

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:

LP45018 Heaton Park - Monolith Signage Sections and Elevations received 16th April 2021

LP45018 Heaton Park - Monolith Signage Location Plans received 16th May 2021

Super imposed signage plans email Michael Wastail 14th June 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) In this condition "retained tree" means an existing tree, shrub or hedge which is to be as shown as retained on the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 5387 (Trees in relation to construction)

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason - In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Informatives

1) It has been confirmed by the applicants that the works will not fall within the root protection zone of any trees within the vicinity of the proposed signage. However, should any tree roots become exposed during the installation, works shall stop and the City Councils Leisure services Arboriculturists shall be informed. The works shall not recommence until the issue has been resolved.

In order avoid damage to trees/shrubs adjacent to and within the site which are of important amenity value to the area and in order to protect the character of the area, in accordance with policies EN9 and EN15 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Neighbourhood Team Leader (Arboriculture)
Bury Metropolitan Borough Council

Treetop Trek, Heaton Park, St Margarets Road, Manchester, M25 2GT

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Green Belt Land - Green Belt Area (LDF)
Green Belt Land - Greater Manchester Green Belt Local Plan 1984
Area Team Boundary - Name: NORTH1