

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129730/AO/2021

Date registered valid: 23 March 2021

Proposal: Installation of 2 illuminated individual letter signs to (1 to each entrance), two illuminated drive thru' signs and illuminated logo signs to first floor level , 2 free standing illuminated menu displays, illuminated lettering to height restrictor barrier, 2.3m high illuminated monolith sign, 1 x 9m illuminated pylon sign, 1 x 7.6m illuminated pylon sign, order canopy sign, two illuminated directional signs and non illuminated PVC banner sign set in a free standing frame

Address: Starbucks (Within Asda Car Park) , Gibbon Street, Manchester, M11 4BD

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Mohammed Tayab Euro Garages Euro House, Beehive Trading Park, Haslingden Rd, Blackburn, BB1 2EE

Agent (if any): Mr Mark White Gee tee Signs Ltd Bestwood Road, Bulwell, NG6 8SS

Case officer: Sue Wills
Tel: 0161 234 4524
Email: sue.wills@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 May 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 5 May 2021 Expired: 15 May 2021

Neighbour notifications

Printed: 5 May 2021 Expired: 15 May 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

The site is currently being developed with a single storey detached building and associated external works to form drive thru coffee shop in the existing district centre car park (planning application ref: 125594/FO/2019).

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

This application relates to an area within the car park to the north of the Asda Store in Eastlands District Centre. To the east beyond the wider car park area is the Ashton Canal, a Grade A Site of Biological Importance, and the Velodrome. To the south is Asda Store, and Trampoline Centre, with Ashton New Road, and the Manchester to Ashton Metrolink line to the south of the store. To the west lies the remainder of the wider car park area, and petrol filling station, with the Etihad Stadium to the west of Alan Turing Way. To the north across Gibbon Street are residential apartment blocks. The car park is screened from Gibbon Street by a landscaped buffer incorporating tree planting.

Description of development

Consent is sought for the installation of 2 illuminated individual letter signs to (1 to each entrance), two illuminated drive thru' signs and illuminated logo signs to first floor level , 2 free standing illuminated menu displays, illuminated lettering to height restrictor barrier, 2.3m high illuminated monolith sign, 1 x 9m illuminated pylon sign 1 x 7.6m illuminated pylon sign, order canopy sign, two illuminated directional signs, and non illuminated PVC banner sign set in a free standing frame. The proposed menu displays would have illuminance levels of 350cd/m2 ,

and the other signage would have illuminance levels of 250cd/m², with the exception of the non-illuminated banner sign.

With the exception of the proposed pylon signs, one of which would be 9m in height and located at the western boundary of the wider district centre car park (in proximity to a totem signage for the stores in the district centre and a pylon sign for McDonalds); with the other 7.6m high pylon sign located in proximity to an existing 8m totem sign on Gibbon Street close to the roundabout; all the other proposed signage would either be installed on the facades of the coffee shop building, or located adjacent to the drive thru' route around it.

Consultations & Notification Responses

Local Residents and Local Businesses- 07.05.2021 following the re-consultation on the revised scheme. An objection has been received from a local resident. The resident is of the view to submit these substantial revisions now, as a fait accompli when the building is already being built, seems a manipulation of the planning process and undermines confidence in it.

They raise concerns regarding light pollution to neighbouring residential properties, further exacerbated when the lights go faulty and flash. They advise that the illuminated signs facing Gibbon Street and the neighbouring residential properties (and in particular sign B - DJ-0221-027, and sign C - DJ-0221-028) will not work as advertising as they seem to be obscured from the road, but will be viewable by neighbours in the flats higher up.

They raise concerns relating to road safety of placing more signs facing the roundabout at entrance to Asda, presenting a further distraction to drivers. They advise that there is already a lot of erratic/dangerous driving at this roundabout which endangers pedestrians, and this scheme will make it worse. They query why the Starbucks advertising cannot be limited to the existing totem, as with the rest of the commercial properties on the site. They have similar concerns with regards to the totem by Alan Turing Way and believe this will present a further distraction to drivers. They note from the recent consultation regarding the music stadium that Metrolink/TfGM expressed concerns regarding signage presenting a distraction to tram drivers, and query whether they have been specifically consulted in relation to this signage given its location next to the tram line.

Head of Highway Services - Have made the following comments:-

SIREN ROUNDEL 1 - 2 (A)

The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.09m over ASDA car park, but does not extend over the adopted highway. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 250 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

A sufficient headroom clearance of 3.9m, compliant with the 2.30m minimum, is noted and accepted by Highways.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

STARBUCKS ACYLRLIC TEXT 1 - 2 (B)

The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.07m over ASDA car park, but does not extend over the adopted highway. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 250 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

A sufficient headroom clearance of 2.5m, compliant with the 2.30m minimum, is noted and accepted by Highways.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

DRIVE THRU LETTERING 1 - 2 (C)

The proposed sign is not located on the adopted highway network.

The proposed sign extends to a maximum projection of 4m over ASDA car park, but does not extend over the adopted highway. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 250 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

A sufficient headroom clearance of 4m, compliant with the 2.30m minimum, is noted and accepted by Highways.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

HEIGHT RESTRICTOR SIGNAGE (F)

The proposed sign is not located on the adopted highway network.

The proposed sign does not project over ASDA car park or the adopted highway. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 250 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

A headroom clearance of 1.3m is noted. It is also noted that the signage is in place for the restriction of vehicle height. Highways have no concerns.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

MENU MONITOR CASE - SINGLE CASE (G)

The proposed sign is not located on the adopted highway network.

The proposed sign does not extend over ASDA Car Park or the adopted highways and as such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 350 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

A headroom clearance of 0.77m is noted by Highways. The signage is not on the adopted highway and is a solid structure within the drive thru' area and therefore will not impinge pedestrian or cyclist movements. Highways have no concerns.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

MENU MONITOR CASE - TRIPLE CASE (H)

The proposed sign is not located on the adopted highway network. The proposed sign does not extend over ASDA Car Park or the adopted highway and as such, a Projection over License will not be required.

A headroom clearance of 0.77m is noted by Highways. The signage is not on the adopted highway and is a solid structure within the drive thru' area and therefore will not impinge pedestrian or cyclist movements. Highways have no concerns.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

POLE SIGNAGE (J)

The proposed sign is not located on the adopted highway network.

The proposed sign does not extend over ASDA Car Park or the adopted highway and as such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 250 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

A sufficient headroom clearance of 6.3m, compliant with the 2.30m minimum, is noted and accepted by Highways.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

LOGO MONOLITH (K)

The proposed sign is not located on the adopted highway network. The proposed sign does not extend over ASDA Car Park or the adopted highway and as such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 250 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

A headroom clearance of 1.15m is noted. The monolith is a solid structure from the ground to a height of 1.15m. The signage is situated within the drive thru' area of the site.

Highways have no concerns.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

BANNER FRAME (L)

The proposed sign is not located on the adopted highway network.

The proposed sign does not extend over ASDA Car Park or the adopted highway and as such, a Projection over License will not be required.

The proposed has no proposed luminance.

A headroom clearance of 1.4m is noted. The plans show that the position of this signage has not yet been determined. If the signage is to be situated on the adopted highway it is requested that updated plans be submitted to Highways.

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Highways have no objections to the signs.

17.05.2021

DRIVE THRU POST SIGN (D) The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.176m over ASDA car park, but does not extend over the adopted highway. As such, a Projection over License will not be required. A 3mm white ACM panel with white LED modules is noted in drawing DJ-0221-029. The luminance level must not be greater than 600cd/m², the maximum stated by the Institute of Lighting Engineers. It is requested that the proposed luminance level of the Drive Thru Post is not greater than 600cd/m².

A headroom clearance of 1.02m is noted. The signage is not on the adopted highway and is a solid structure within the drive thru' area and therefore will not impinge pedestrian or cyclist movements. Highways have no concerns. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

NO ENTRY POST SIGN (E) The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.176m over ASDA car park, but does not extend over the adopted highway. As such, a Projection over License will not be required. A 3mm white ACM panel with white LED modules is noted in drawing DJ-0221-029. The luminance level must not be greater than 600cd/m², the maximum stated by the Institute of Lighting Engineers. It is requested that the proposed luminance level of the No Entry Post is not greater than 600cd/m². A headroom clearance of 1.02m is noted. The signage is not on the adopted highway and is a solid structure within the drive thru' area and therefore will not impinge pedestrian or cyclist movements. Highways have no concerns. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

ORDER HERE CANOPY (I) The proposed sign is not located on the adopted highway network. The proposed sign does not extend over ASDA Car Park or the adopted highway and as such, a Projection over License will not be required. LED acyclic is noted for the signage within drawing DJ-02210-34. The luminance level must not be greater than 600cd/m², the maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 2.95m, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

9M TOTEM POLE The proposed sign is not located on the adopted highway network. The proposed sign does not extend over ASDA Car Park or the adopted highway and as such, a Projection over License will not be required. The proposed luminance of the sign is noted as 250 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 7.2m, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Highways have no objections to the signs.

Environmental Health - Recommends a condition be attached to any approval to require

a) A mechanism shall be in place so that if the installations break down, a black screen is defaulted to in order

to avoid any flashing error messages or pixilation.

b) The maximum luminance level of the panel displays shall not exceed 300 cd/m² during non-daylight hours / inclement weather.

Design for Security - Have no comments to make on this occasion.

TfGM - Have advised that the location of the totem sign, reference J, causes concern regarding its proximity to Metrolink infrastructure, namely the piled retaining wall on the approach to the underpass. This wall has a parapet and a capping beam both of which are visible on the visual provided. Any excavation within 1 metre of this structure must not exceed 1 metre in depth without first notifying Metrolink, it should be noted that excavations that exceed this could require the monitoring of Metrolink Infrastructure. In view of the proximity of this sign to Metrolink Infrastructure and the operational tramway Metrolink require that the following condition is attached to any consent granted for this sign.

No development shall take place, until a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the Manchester City Council (approval to be in consultation with Transport for Greater Manchester). The approved CMP shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and Metrolink Infrastructure and shall be adhered to throughout the construction period. The CMP shall specifically provide for the construction methods to be used; including the use of any lifting equipment (which must not oversail the tramway) and also must include the details of the location and size of any excavations within 1m of the nearest element of the Metrolink Infrastructure, which in this case is the capping beam.

Reason - To safeguard the amenities of the locality. To ensure that the developer complies with all the necessary system clearances and agrees safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system. Further details can be found via the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/workingsafely>

Issues

National Planning Policy Framework - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. It sets out the government's planning policies for England and how these are expected to be applied. It defines the government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 11 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

National Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Core planning principles - Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan making and decision-taking with the following specific policies being particularly relevant to the proposed development:

Chapter 12 Achieving well-designed places

Paragraph 124 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 132 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. Significantly, chapter 12 states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

In this case, it is considered that the proposal would be not be harmful to the visual amenities of the area and the character of the built environment. Furthermore, the proposed advertisement signage would not unduly impact upon the immediate streetscene, given the commercial setting of the locality.

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'

- (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)

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

- o Policy DM 1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)

It is considered that the proposed signage would relate appropriately related to the context of the site and its surrounding area. Furthermore ,it is considered that the proposed signage would be 'read' within the context and function of the site without unduly affecting residential amenity of the occupiers to the north of the site. The proposals would thereby be appropriately related to Core Strategy policies SP1, EN1 and DM1. The design of the proposed signage attains a satisfactory quality and therefore accords with Core Strategy policy EN1.

4. Saved Unitary Development Plan Policies - The UDP has been superseded by the Core Strategy Development Plan, of relevance are the following saved policies.

- o Saved Policy DC14 - Advertisement Regulations
- o Saved Policy DC15 - Advertisements, Hoardings
- o Policy E3.3 (The City's major radial and orbital roads and rail routes).

It is considered that the proposed signage relates appropriately to its context in relation to the street and adjacent radial route, and metrolink line, thereby meeting the requirements of saved UDP policies E3.3, DC14 and DC15.

Principle - The proposed building to which the signage relates is currently under construction. The site is located within the Eastlands District Centre , and with the exception of the pylon sign proposed in proximity to the western boundary of the wider car park area, and a pylon sign in

the landscaping adjacent to Gibbon Street, the proposed signage is related to the coffee shop building and associated drive through route around the building.

The principle of the Drive Thru' coffee shop has been established through planning permission ref: 125594/FO/2019 approved on 29th May 2020.

The principle of the tall illuminated totem signage and high level post mount illuminated signage to the western boundary of the wider car park signage has been established through previous advertisement consents for both McDonalds and Asda.

The proposed signage is considered to be commensurate with the commercial nature of the use and uses adjacent to the application site.

Notwithstanding this, as required by the Town and Country Planning (Control of Advertisements) Regulations 2007, matters relevant to the consideration of this application must be given to the residential amenities of occupants of nearby residential uses and visual amenity.

Amenity

The proposed signage is contained within the environs of the drive thru' coffee shop, or in the case of the proposed 9m pylon sign, alongside the western boundary of the wider car park for the district centre. The signs are largely typical of what would be expected to be seen on a development of this nature and it is considered that the proposed signage would not significantly change the visual impact of this development.

Although there are residential uses nearby on the opposite side of Gibbon Street, it is not considered that the proposed signage would have any significantly greater impact on the amenity currently experienced by the surrounding residents. Concerns expressed by a resident regarding light pollution to neighbouring residential properties has been noted, and conditions to restrict the lux levels of the signage being proposed, together with a condition to ensure that the lighting within the signage is switch off outside of the business opening hours are proposed pursuant with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the National Planning Policy Framework; Core Strategy policies DM 1, Policy SP1, EN1, E3.3; and saved Unitary Development Plan policies DC14 and DC15.

The observation made by the resident in relation to the illuminated signs facing Gibbon street and the neighbouring residential properties (and in particular sign B - DJ-0221-027, and sign C - DJ-0221-028) would be obscured from the road is also noted. The drive thru coffee shop is located within the northern eastern corner of the wider district centre car park. This part of the car park is located at a lower level than Gibbon Street to the north, as the road rises in an easterly direction to cross the Ashton Canal. The slope between the back of pavement on Gibbon Street and the proposed illuminated signage on the building or in close proximity to it, comprises a soft landscaped buffer with a mix of deciduous and evergreen planting. As such the siting of the proposed signage in this area, would be at a lower level (with the exception of the pylon sign close to the roundabout on Gibbon Street), this combined with the retained areas of soft landscaping would reduce the potential for any significant impacts from light pollution. There would also be a distance of 42m from the corner of the nearest residential apartment block to the northwest and the base of the landscaped slope. Whilst acknowledging that the illuminated signage would be visible to residents on the upper floors of the apartment block, it is considered that the restriction of any illumination to the hours the business is open combined with the proposed limitations to lux levels, would not give rise to significant amenity issues from light spill.

Furthermore the proposed 7.6m illuminated pylon sign close to the roundabout on Gibbon Street would have an luminance level of 250 cd/m² which well below the 600cd/m² maximum

stated by the Institute of Lighting Engineers. The illumination of this sign would also be limited to the Starbucks logo at the top of the sign (1.8m in diameter) and a rectangular drive thru' element (0.52m x 1.8m below).

Proliferation of signs

As stated the new signage would be located within the functional areas of the site, where such signage reflects the character and operation of the site.

There would be an increase in the number of advertisement signs within the site, however, for the most part they are directly related to the building currently under construction and the associated drive thru' route. In this context it is considered that the display of the proposed signage is acceptable and meets the requirements of Core Strategy policies SP1 and DM1 and saved UDP policies E3.3; DC14.5; DC15.1 and DC15.2.

The resident's observations that the Starbucks advertising should be incorporated within the existing district centre totem signage has been noted, however the only space available on the existing totem signage is at the base of the signage. As such if this option were to be pursued, it is likely to result in the requirement for a new totem taller than those existing being installed, which would be taller than the proposed pylon sign under consideration. The existing shared illuminated totem at Gibbon Street is currently 8m in height. It is therefore considered the proposed signage would be acceptable in terms of design, and location.

Siting

The proposed levels of luminance vary, but are well below the 600cd/m² maximum stated by the Institute of Lighting Engineers. and provided the illumination is turned off outside business hours, it is considered that the siting of the new signage would not, detract significantly from the existing contextual relationships with the surrounding area. It is not considered that the proposed signage would adversely affect the setting of the existing buildings or the wider streetscene to Gibbon Street or Pottery Lane. The signage would therefore be read within the context of the function of the building and would not affect the relationship of the application site to the streetscene or nearby housing (on the opposite northern side of Gibbon Street).

On this basis the proposed signage meets the requirements of Core Strategy policies SP1 and DM1 and saved UDP policies E3.3; DC14.5; DC15.1 and DC15.2.

Highways Issues

The positioning of the proposed signage would not affect pedestrian or vehicular visibility. It is not considered that the proposed development would affect the function of the external operation of the site. It is therefore considered that the proposed signage would be consistent with Core Strategy policies DM1 and SP1 and saved UDP policies E3.3, DC14.5, DC15.1 and DC15.2.

Public Safety

Concerns raised by the local resident in regard to creating a distraction to drivers at the Gibbon Street roundabout have been noted, however, no objections have been raised by Highway Services. Due to the elevated nature of the Starbucks logo on the pylon sign on Gibbon Street in proximity to the roundabout being over 5m above ground level, it would not be in the line of vision of motorists when they are navigating the roundabout, but would be visible on route to the roundabout. The proposed advertisements are therefore not considered to give rise to any public safety concerns. The proposed signs are sufficiently far away from any key pedestrian routes and the levels of illumination are not considered to cause a distraction to road users, or pedestrians. The maximum proposed luminance of the proposed signage under consideration, is stated as 350cd/m², which is an acceptable level by highways and as the imaging is static only, it creates no issues in terms of driver distraction for passing highway users, pursuant with

the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, The National Planning Policy Framework; Core Strategy policies DM 1.

Proximity of 9m pylon sign to Metrolink

The comments made by TfGM were referred to the planning agent, who subsequently confirmed in an email dated 15.04.2021 that the dig is only 1m in depth. However, in order to ensure that the proposed installation of the 9m pylon sign does not adversely impact on the Metrolink Infrastructure and the operational tramway, it is proposed to attach a condition to require that before any works commence in relation to the 9m pylon sign, a Construction Management Plan (CMP) with detailed method statements of construction and risk assessments, including agreed safe methods of working adjacent to the Metrolink Hazard Zone and Metrolink Infrastructure throughout the construction period shall be submitted and approved. The CMP shall specifically provide for the construction methods to be used; including the use of any lifting equipment (which must not oversail the tramway) and also must include the details of the location and size of any excavations within 1m of the nearest element of the Metrolink Infrastructure, which in this case is the capping beam.

Metrolink have not raised any concerns about the potential for the proposed 9m high pylon sign in proximity to the Metrolink route to the west of the site giving rise to distraction to tram drivers.

Conclusion

On balance it is considered that the proposals are suitably related to the streetscene and context, in terms of the advertisements height, siting and design and are therefore considered to be commensurate with Core Strategy policies DM1, EN1 and SP1 and saved UDP policies E3.3; DC14.5; DC15.1 and DC15.2 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

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan saved policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance, the agent was requested to reduce the height of the pylon sign in proximity to Gibbon Street, and turnoff

lighting to the signage when the business is closed, and the appropriate conditions have been attached.

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:

Plan ref: DJ-0221-026 1500w Siren Roundel (Sign A); DJ-0221-027 Starbucks Acrylic text 250H (Sign B); DJ-0221-028 Drive thru lettering (Sign C); DJ-0221-031 Height restrictor signage (Sign F); DJ-0221-032 Monitor menu case (Sign G); DJ-0221-033 Monitor menu triple case 1 of 2 and 2 of 2 (Sign H); DJ-0221-035 7.6m Pylon Sign (Sign J) ; DJ-0221-036 2.3m Logo monolith sign(Sign K); DJ-0221-037 Banner frame (Sign L); DJ-0221-039 Site Plan (Front and rear elevation) ; DJ-0221-039 Site Plan (Left and Right elevation);
Plan ref :DM-0321-198 Visual 1 of 3, Visual 2 of 3 , Visual 3 of 3; DM-0321-199 Visual 1 of 2, Visual 2 of 2;
received 23rd March 2021.

Plan ref: DM-1220-73 9m Pylon sign and Block plan showing location of 9m Pylon Sign to the western boundary of the district centre car park received 26th March 2021.

Revised location of Pylon Sign J to the north west of the proposed drive thru coffee shop adjacent to Gibbon Street received 6th April 2021;

Email from planning agent 15.04.2021 regarding depth of works in proximity to Metrolink;

Email from planning agent 04.05.2021 regarding height of Pylon sign to Gibbon Street;

Plan ref: DJ-0221- 029 Illuminated directional Drive Thru' post sign (plan 1of 2 and plan 2of 2) - Sign D received 04.05.2021;

Plan ref: DJ-0221- 030 Illuminated directional Drive Thru' post signs No Entry and Thank You (plan 1of 2 and plan 2of 2) - Sign E received 04.05.2021;

Plan ref: DJ-0221- 034 Order Here canopy sign (Plans 1 of 4 , 2 of 4, 3 of 4 and 4 of 4) - Sign I received 04.05.2021;

Plan ref: DJ-0221-041 Site Plan received 04.05.2021;

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) No development in regard to the 9m high pylon sign located to the western boundary of the district centre car park , shall take place, until a Construction Management Plan with detailed method statements of construction and risk assessments, has been submitted to, and approved in writing by the City Council as local planning authority. The Construction Management Plan shall include agreed safe methods of working adjacent to the Metrolink Hazard Zone and Metrolink Infrastructure and shall be adhered to throughout the construction period. The Construction Management Plan shall specify the construction methods to be used; including the use of any lifting equipment (which must not oversail the tramway) and details of the location and size of any excavations within 1m of the nearest element of the Metrolink Infrastructure, which in this case is the capping beam. The development shall be implemented in full accordance with the approved Construction Management Plan.

Reasons - To safeguard the amenities of the locality, and to ensure compliance with the necessary system clearances and safe methods of working to meet the safety requirements of working above and adjacent to the Metrolink system, pursuant to policies SP1,EN19, and DM1 of the Manchester Core Strategy (2012).

4) The maximum luminance level of the advertisements hereby approved shall not exceed 350cd/m2 during daylight hours and 300cd/m2 during non-daylight hours / inclement weather.

Reason - In the interests of highway and pedestrian safety pursuant to policies T1 and DM1 of the adopted Manchester Core Strategy(2012) and saved policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.

5) The advertisements hereby approved shall not be illuminated outside of the opening hours of the business premises.

Reason - In the interests of pedestrian/highway safety and residential amenity enjoyed within the vicinity of the site, pursuant to policy DM1 of the Manchester Core Strategy (2012).

6) The Pylon Sign to the western boundary of the district centre car park shown on plan ref: DM-1220-73 and Block plan received 26th March 2021 shall be no more than 9m in height above ground level (when installed), and the Pylon Sign J to the north west of the proposed drive thru coffee shop shown on plan ref: DJ-0221-035 received 23rd March 2021, and Block plan received 6th April 2021, shall be no more than 7.6m in height above ground level (when installed).

Reason - For the avoidance of doubt, and to safeguard the visual and residential amenity of the local residents pursuant to policy DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Highway Services
Environmental Health
Greater Manchester Police
Transport For Greater Manchester

Apartment 30, 4 The Waterfront, Manchester, M11 4AU
Apartment 28, 4 The Waterfront, Manchester, M11 4AU
Apartment 25, 4 The Waterfront, Manchester, M11 4AU
Apartment 23, 4 The Waterfront, Manchester, M11 4AU
Apartment 20, 4 The Waterfront, Manchester, M11 4AU
Apartment 17, 4 The Waterfront, Manchester, M11 4AU
Apartment 15, 4 The Waterfront, Manchester, M11 4AU
Apartment 12, 4 The Waterfront, Manchester, M11 4AU
Apartment 9, 4 The Waterfront, Manchester, M11 4AU
Apartment 7, 4 The Waterfront, Manchester, M11 4AU
Apartment 4, 4 The Waterfront, Manchester, M11 4AU
Apartment 1, 4 The Waterfront, Manchester, M11 4AU
4 The Waterfront, Manchester, M11 4AU

Apartment 29, 4 The Waterfront, Manchester, M11 4AU
Apartment 27, 4 The Waterfront, Manchester, M11 4AU
Apartment 26, 4 The Waterfront, Manchester, M11 4AU
Apartment 24, 4 The Waterfront, Manchester, M11 4AU
Apartment 22, 4 The Waterfront, Manchester, M11 4AU
Apartment 21, 4 The Waterfront, Manchester, M11 4AU
Apartment 19, 4 The Waterfront, Manchester, M11 4AU
Apartment 18, 4 The Waterfront, Manchester, M11 4AU
Apartment 16, 4 The Waterfront, Manchester, M11 4AU
Apartment 14, 4 The Waterfront, Manchester, M11 4AU
Apartment 13, 4 The Waterfront, Manchester, M11 4AU
Apartment 11, 4 The Waterfront, Manchester, M11 4AU
Apartment 10, 4 The Waterfront, Manchester, M11 4AU
Apartment 8, 4 The Waterfront, Manchester, M11 4AU
Apartment 6, 4 The Waterfront, Manchester, M11 4AU
Apartment 5, 4 The Waterfront, Manchester, M11 4AU
Apartment 3, 4 The Waterfront, Manchester, M11 4AU
Apartment 2, 4 The Waterfront, Manchester, M11 4AU
Apartment 9, 6 The Waterfront, Manchester, M11 4AY
Apartment 7, 6 The Waterfront, Manchester, M11 4AY
Apartment 4, 6 The Waterfront, Manchester, M11 4AY
Apartment 1, 6 The Waterfront, Manchester, M11 4AY
Apartment 29, 6 The Waterfront, Manchester, M11 4AY
Apartment 26, 6 The Waterfront, Manchester, M11 4AY
Apartment 24, 6 The Waterfront, Manchester, M11 4AY
Apartment 21, 6 The Waterfront, Manchester, M11 4AY
Apartment 18, 6 The Waterfront, Manchester, M11 4AY
Apartment 16, 6 The Waterfront, Manchester, M11 4AY
Apartment 10, 6 The Waterfront, Manchester, M11 4AY
Apartment 8, 6 The Waterfront, Manchester, M11 4AY
Apartment 6, 6 The Waterfront, Manchester, M11 4AY
Apartment 5, 6 The Waterfront, Manchester, M11 4AY
Apartment 3, 6 The Waterfront, Manchester, M11 4AY

Apartment 2, 6 The Waterfront, Manchester, M11 4AY
Apartment 30, 6 The Waterfront, Manchester, M11 4AY
Apartment 28, 6 The Waterfront, Manchester, M11 4AY
Apartment 27, 6 The Waterfront, Manchester, M11 4AY
Apartment 25, 6 The Waterfront, Manchester, M11 4AY
Apartment 23, 6 The Waterfront, Manchester, M11 4AY
Apartment 22, 6 The Waterfront, Manchester, M11 4AY
Apartment 20, 6 The Waterfront, Manchester, M11 4AY
Apartment 19, 6 The Waterfront, Manchester, M11 4AY
Apartment 17, 6 The Waterfront, Manchester, M11 4AY
Apartment 15, 6 The Waterfront, Manchester, M11 4AY
Apartment 14, 6 The Waterfront, Manchester, M11 4AY
Apartment 13, 6 The Waterfront, Manchester, M11 4AY
Apartment 12, 6 The Waterfront, Manchester, M11 4AY
Apartment 11, 6 The Waterfront, Manchester, M11 4AY
2 Gibbon Street, Manchester, M11 4TA
Manchester City Football Club Ltd, Etihad Stadium, Ashton New Road, Manchester, M11 3FF
Evans Cycles, The National Cycling Centre, Stuart Street, Manchester, M11 4DQ
The National Cycling Centre, Stuart Street, Manchester, M11 4DQ
BMX Centre, The National Cycling Centre, Stuart Street, Manchester, M11 4DQ
Velodrome, The National Cycling Centre, Stuart Street, Manchester, M11 4DQ
Decathlon, Asda Eastlands Sportscity, Ashton New Road, Manchester, M11 4BD
Supercuts, Asda Eastlands Sportscity, Ashton New Road, Manchester, M11 4BD
The Learning Factor, Asda Eastlands Sportscity, Ashton New Road, Manchester, M11 4BD

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: NORTH2