

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129806/AO/2021

Date registered valid: 22 March 2021

Proposal: Installation of 2 no. non illuminated, pole mounted signs for a 12 month period

Address: Land Opposite 439 - 445 Abbey Hey Lane, , Manchester

Ward(s): Gorton & Abbey Hey Ward

Applicant: Mr Mike Bagot Rowlinson Constructions Limited Gardale House, 118B Gatley Road, SK8 4AU

Agent (if any): Miss Bryony Preston Pozzoni Architecture Woodville House, 2 Woodville Road, Altrincham, WA14 2FH

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

Recommendation: Approve

Date of recommendation: 7 May 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 29 March 2021 Expired: 19 April 2021

Neighbour notifications

Printed: 6 April 2021 Expired: 27 April 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

Planning permission was granted for the erection of a part three, part four storey extra care facility (comprising 106 apartments and ancillary cafe/restaurant and hair and beauty uses) with associated car parking, landscaping and boundary treatment was approved by the Planning & Highways Committee on 29.06.2018 (ref: 119149).

Planning permission to vary conditions 2 (specified plans) 3 (external materials) and 7 (energy), 24 (electric car charging) and 31 (access routes) attached to planning permission referenced 119149/FO/2018 to allow the installation of a ground source heat pump energy system (including boreholes) , revised bin store design, minor elevation amendments and changes to external materials to the approved scheme, was subsequently approved on 23.07.2020 (ref: 127087/JO/2020).

The development is now nearing completion.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The approved development is located on site covering approximately 1.3 hectares and is bounded by Abbey Hey Lane to the south and east , Abbey Court block of apartments and associated gardens are to the north , and the footpath/cycleway to Fallowfield in a shallow cutting directly to the east (infilled former Stockport Branch canal).

Description of development

The proposed signage is related to the part three, part four storey Extra Care development nearing completion to the north and west of Abbey Hey Lane. The scheme under consideration relates to the installation of 2no. non illuminated aluminium composite boards with printed graphics fixed to galvanised steel posts. The proposed signs measure 1.8m in width and height, are 0.12m in depth, and set 2m above ground level.

One of the proposed signage boards would be located in an area of hard landscaping within the site to the south of the access to the site on Abbey Hey Lane, opposite nos. 439-445 Abbey Hey Lane, with the second sign board proposed to be located within the site in an area of landscaping to the east of the access to the retained parking facilities for visitors to the school, which is located to the north of Abbey Hey Lane opposite to the primary school.

Temporary consent is sought for the proposed signage which advertises the letting of apartments by Southway Housing Association at the site.

Consultations & Notification Responses

Local residents and local businesses - One objection has been received from a local resident raising concerns that the current work going on at this site, is adversely affecting the quality of life of her disabled son, due to noise. The resident raised concerns in regard to how the signage would affect parking provision on the site.

The resident was subsequently advised that the proposed signage would not lead to the loss of any of the previously approved off street parking provision within the site. No further comments have been received.

Highway Services - The proposed signs are not located on and will not project over the adopted highway network. As such, a Projection over License will not be required. There is no proposed luminance of the signs which is acceptable to Highways. The signs comply with headroom and carriageway clearance requirements. Highways have no objections to the signs.

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 non illuminated signage would not unduly impact upon the immediate streetscene.

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, the proposed signage would be 'read' within the context and function of the site without unduly affecting residential amenity. 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).

The proposed signage relates appropriately to its context in relation to the street , thereby meeting the requirements of saved UDP policies E3.3, DC14 and DC15.

Principle - The principle of the proposed temporary non illuminated signage comprising aluminium composite boards with printed graphics fixed to galvanised steel posts, in the two locations at access points from Abbey Hey Lane (which would advertise the letting of apartments by Southway Housing Association at the site) for a temporary period is considered to be acceptable.

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 is given to the residential amenities of occupants of nearby residential uses and visual amenity.

Amenity

The proposed signage is contained within the private boundary of the site, and are largely typical of what would be expected to be seen on a development of this nature, during the process of letting the apartments as they are completed. It is considered that the changes would not significantly change the visual impact of this development. Although there are residential uses nearby on the opposite side of Abbey Hey Lane , it is not considered that the proposed signage would have any significantly greater impact on the amenity currently experienced by the surrounding residents due to the non illuminated nature of the signage and that only temporary approval is being sought. .

Height and Siting

The proposed / new signage would be contained within the boundary of the site. It is considered that the siting of the new signage would not, detract significantly from the existing contextual

relationships with the surrounding area. 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 non illuminated signage comprising aluminium composite boards with printed graphics would be fixed to galvanised steel posts sited 2m above ground level. The positioning of the proposed signage would therefore not impact on sightlines for vehicles entering and leaving the site from either access/egress on Abbey Hey Lane , and not affect pedestrian and vehicular intervisibility. 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.

Temporary Consent

Temporary consent was sought until 31st December 2021. However, due to the current issues arising in connection with the COVID 19 pandemic ,and the nature of the signage under consideration, it is proposed to enable the signage to remain on site for a maximum period of 12 months from the date of consent. This will allow some flexibility given the approved development nearing completion comprises 106 apartments in total , and given the current circumstances, the letting of the all the units may take longer than in normal circumstances.

Public Safety

The proposed advertisements are not considered to give rise to any public safety concerns. The proposed signs are sufficiently far away from any key pedestrian routes and as they would not be illuminated they are not considered to cause a distraction to road users , or pedestrians. , pursuant with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, The National Planning Policy Framework; Core Strategy policies DM 1.

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, there were no other issues to raise with the agent 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 advertisements hereby approved shall not be displayed beyond a period of 12 months from the date of this consent. The advertisements and any supporting structures shall be removed on that date.

Reason - The advertisement is of a temporary nature only and is not considered acceptable as a permanent feature on this site in order to comply with saved policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

- o Plan ref: 4332_8002 Planning - Advertisement Location received by the City Council as Local Planning Authority on 22nd March 2021.
- o Plan ref: 50602 Gorton Mill House roadside signage and location visuals received by the City Council as Local Planning Authority on 22nd March 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).

Appendix 1 – List of consultees & neighbours notified

Highway Services

451 Abbey Hey Lane, Manchester, M18 8RR
1 High Bank, Manchester, M18 8UT
15 High Bank, Manchester, M18 8UT
461 Abbey Hey Lane, Manchester, M18 8RR
125 Cross Lane, Manchester, M18 8NY
3 High Bank, Manchester, M18 8UT
13 High Bank, Manchester, M18 8UT
11 High Bank, Manchester, M18 8UT
130 Cross Lane, Manchester, M18 8NZ
123 Cross Lane, Manchester, M18 8NY
121 Cross Lane, Manchester, M18 8NY
119 Cross Lane, Manchester, M18 8NY
72 Carberry Road, Manchester, M18 8PR
68 Carberry Road, Manchester, M18 8PR
115 Cross Lane, Manchester, M18 8NY
113 Cross Lane, Manchester, M18 8NY
117 Cross Lane, Manchester, M18 8NY
449 Abbey Hey Lane, Manchester, M18 8RR
2 Aysgarth Avenue, Manchester, M18 8RA
9 High Bank, Manchester, M18 8UT
7 High Bank, Manchester, M18 8UT
535 Abbey Hey Lane, Manchester, M18 8PF
455 Abbey Hey Lane, Manchester, M18 8RR
447 Abbey Hey Lane, Manchester, M18 8RR
70 Carberry Road, Manchester, M18 8PR
66 Carberry Road, Manchester, M18 8PR
Gorton Community Centre, Highmead Street, Manchester, M18 8PE
Abbey Hey Primary Academy, Abbey Hey Lane, Manchester, M18 8PF
543 Abbey Hey Lane, Manchester, M18 8PF
539 Abbey Hey Lane, Manchester, M18 8PF
537 Abbey Hey Lane, Manchester, M18 8PF
5 High Bank, Manchester, M18 8UT
127 Cross Lane, Manchester, M18 8NY
128 Cross Lane, Manchester, M18 8NZ
1 Aysgarth Avenue, Manchester, M18 8RA
541 Abbey Hey Lane, Manchester, M18 8PF
533 Abbey Hey Lane, Manchester, M18 8PF
531 Abbey Hey Lane, Manchester, M18 8PF
459 Abbey Hey Lane, Manchester, M18 8RR
453 Abbey Hey Lane, Manchester, M18 8RR
457 Abbey Hey Lane, Manchester, M18 8RR

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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -

Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH2