MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	127647/AOH/2020
Date registered valid:	3 August 2020
Proposal:	Installation of 86 inch LED advertisement display screen on the rear face of public payphone unit (associated planning application ref. 127646/FO/2020).
Address:	Pavement Outside 4-8 Mosley Street, Manchester
Ward(s):	Deansgate Ward
Applicant:	Mr Nathan Still JCDecaux UK Limited 991 Great West Road, Brentford, TW8 9DN
Agent (if any):	
Case officer:	Rebecca Hadfield Tel: 0161 234 4071 Email: rebecca.hadfield@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	2 November 2020

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 26 August 2020

Standard consultations:
Printed: 21 August 2020 Expired: 11 September 2020

Neighbour notifications
Printed: 21 August 2020 Expired: 11 September 2020

Site notice
Posted: 26 August 2020 Expired: 16 September 2020

Press advert
Published: 25 August 2020 Expired: 15 September 2020

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The proposal site is located in Manchester City Centre and therefore the surrounding area has a wide variety of uses including, residential, offices, restaurants, cafes, bars, retail and commercial outlets in the immediate area with associated advertisements on their respective buildings. The public highway in this area includes a variety of street furniture, such as traffic signs, lampposts, litter bins, public benches and telephone kiosks.

The proposal is adjacent to a number of listed buildings however the proposal would not be read in the same context due to its distance from these designated heritage assets. The proposal does not fall within a designated conservation area.

The proposal site specifically is located on a relatively wide are of pavement and would be situated to replace an existing telephone kiosk unit which is operated by the Applicant.

Description of development

Background

JCDecaux (the 'Applicant') acquired the telecommunications company Infocus Payphones. The Applicant has aspirations to update the telephone kiosks design significantly and improve the services provided. The applicant originally applied in May 2019 for new 23 'smart' telephone

kiosks locations in Manchester City Centre. Following ongoing discussions with Officers the Applicant proposed to rationalise both their existing telephone kiosk stock in Manchester as part of these new proposals. Through pre-application discussions the Applicant agreed to withdraw these 23 prior approval applications, and propose a total of 17 new 'smart' telephone kiosks sites, while also seeking to remove 25 existing 'Infocus telephone kiosks' as part of the same proposals. Throughout the pre-application discussions Greater Manchester Police were included to provide their input and guidance on antisocial behaviour issues associated with telephone kiosks and their final siting.

Description of the proposal

The Applicant has applied for advertisement consent to display an 86inch digital LED screen affixed to a telecommunications unit, which a separate full planning application has been jointly submitted. The Applicant has indicated that prior to this unit, and each unit proposed, being installed the identified existing 25 'infocus' telephone kiosks in the City Centre would be removed.

The unit would feature on one side an 86" screen and on the other a 32" touchscreen. The size of the screen is uniform and will be used for commercial and community/GMP messaging. When not in use the 32" screen will default to the City map to enable people to find their way around Manchester and shortcuts to the most often used apps and links to local services.

Consultations & Notification Responses

Publicity - Notification letters were sent to adjoining properties. A local press advert and site notices were produced. No representations have been received as a result of this publicity.

Highway Services - No objection to the proposal.

Environmental Health - No objection to the proposal subject to controls on noise and illumination of the units, as set out by the Applicant.

Transport For Greater Manchester - No objection to the proposal.

Strategic Development Team - No representations received.

Ward Councillors - No representations received.

City Centre Regeneration - No representations received.

Greater Manchester Police (City Centre Neighbourhoods Team) - Made no objections and noted that the Applicant intends to work with GMP throughout implementation to minimise and manage any potential misuse or antisocial behaviour associated with the units.

Greater Manchester Police (Design for Security Unit) - Made comments regarding the careful consideration of making the units robust and resistant to vandalism. Asked for consideration on the placement of the units in general to consider pedestrian flows.

Issues

Policy

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

Core Strategy policy SP1 (Spatial Principles) stipulates that development in all parts of the City should:

Make a positive contribution to neighbourhoods of choice including:
- creating well designed places that enhance or create character.
- making a positive contribution to the health, safety and wellbeing of residents
- considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- protect and enhance the built and natural environment.

Core Strategy policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Core Strategy policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Core Strategy policy DM1 (Development Management) states that all development should have regard to various issues, including:

- 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 for the City of Manchester, 1995 (Saved Policies)

The below saved policy of the Unitary Development Plan is also considered relevant:

Saved UDP policies DC15.1 and 15.2 (Advertisements, Hoardings and Posters) state that the City Council will take into account the impact of advertisements on visual amenity and public safety. When determining applications for free standing hoardings, the Council will take into account several matters, including:

- The general location of the proposed development and its effect on visual amenity
- The scope for the hoarding to make a positive contribution to the locality
- The design of the structure and the relationship with any premises on which they are located
- The effect of the proposal on the permanent redevelopment of the land

- The effect of the display on public safety due to the positioning of the design
- The use of the hoarding to screen vacant sites
- The contribution that the hoarding makes to disguising or improving unsightly features
- The number of advertisements in the locality and their cumulative effect on visual amenity
- The scale of the hoarding within the locality
- The relationship of the hoarding to areas of high amenity value
- The likelihood that the advertisement would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size or design.

Saved UDP policy DC18 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved UDP policy DC19 (Listed Buildings) states that the Council will seek to preserve and enhance the setting of listed buildings by appropriate control of nearby development.

Visual amenity and heritage

Across Manchester City Centre there are currently 25 'infocus' telephone kiosks and more of these payphone kiosks are proposed to be removed than new 17 kiosks being installed.

The overall effect of the Applicants proposals in Manchester would be that the amount of street clutter would be reduced and visual amenity therefore improved.

Taking into account the design and siting of the proposals, any nearby designated heritage assets would not be considered to be affected adversely by the proposals.

On balance it is considered that the installation of a new 'smart' kiosk in lieu of the existing telephone kiosks would be acceptable as visual amenity within the area would not be harmed by the proposals.

Public safety

The City Council's Highways Section was consulted on the proposal and with regard to the adverting screens specifically, they have stated that they have no objections to the proposal provided that certain restrictions apply to the screen such as no moving images to be displayed and appropriate light settings. The restrictions asked for have been conditioned. On the basis that the screens would be operated in line with the comments made by Highways, the proposed digital screens would be acceptable in terms of their impact on public safety.

Conclusion

For the above reasons, the proposal is considered to be acceptable and consistent with policies SP1, EN3, CC9 and DM1 of the Core Strategy and saved policies DC15, DC18 and DC19 of the Unitary Development Plan.

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 polices 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

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval with the agreement of the applicant.

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:

Location Plan 4-8 Mosley Street M60 1AY
Site Plan 4-8 Mosley Street M60 1AY
Proposed Site Location Photo - 4-8 Mosley Street M60 1AY
Application Document Part 1 Proposal Background and City Maps
Application Document Part 2 Hub Detail - New Sites
Application Document Part 3 Sustainability Aims and Achievements

Application Document Part 4 Pavement Remediation
Cover Letter (30 July 2020)
Letter response to sound & light comments (dated 1 September 2020)
Appendix B Suggested Conditions and Reasons
Appendix C Noise Level Report - Aug 2020
Letter response to TfGM and GMP (DfS Team) (dated 16th September 2020)

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies EN3, CC9, SP1 and DM1 of the City of Manchester Core Strategy and saved policies DC15, DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

3) Notwithstanding the approved plans and documents as specified in condition 2, the digital advertising screen hereby approved shall be displayed only in accordance with the following:

(a) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs or traffic signals;
(b) No individual advertisements shall be displayed for duration of less than 10 seconds;
(c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel;
(d) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.

Reason - In the interests of pedestrian and highway safety, pursuant to policy DM1 of the City of Manchester Core Strategy and saved policy DC15 of the Unitary Development Plan for the City of Manchester.

4) Notwithstanding the approved plans and drawings as specified in condition 2, the proposed advertisements shall;
(a) be designed, installed and operated to control glare and overspill onto any nearby residential properties; and
(b) not exceed 600cd/m2 during non-daylight hours and inclement weather.

Reason - To ensure that the advertisements cause no harm to residential amenity and are designed and installed to a high quality standard with regard to visual amenity, pursuant to policies DM1 of the City of Manchester Core Strategy and saved policies DC15 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Transport For Greater Manchester

First Floor Commissionaires Room, Royal Buildings, Mosley Street, Manchester, M2 3AB
First Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AB
Cobden House, 12 - 16 Mosley Street, Manchester, M2 3AQ
6A Piccadilly Plaza, Manchester, M1 4AH
Clarendon House, 8 Mosley Street, Manchester, M2 3LQ
2A Mosley Street, Manchester, M2 3AN
122A Market Street, Manchester, M1 1WA
130 - 132 Market Street, Manchester, M60 1AY
Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
First Floor Suite 3, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
124 - 126 Market Street, Manchester, M1 1WA
Second Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
128 Market Street, Manchester, M1 1WA
106 - 122 Market Street, Manchester, M1 1WA
Third Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN
10 Mosley Street, Manchester, M2 3AQ
Fourth Floor, Royal Buildings, 2 Mosley Street, Manchester, M2 3AN

Appendix 2 – Planning constraints

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
Area Team Boundary - Name: CITY1