

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141210/AOH/2024
Date registered valid: 11 October 2024
Proposal: Temporary display of externally illuminated advertisement hoarding for a period of 33 weeks.
Address: 102 - 104 Market Street, Manchester, M1 1PB
Ward(s): Deansgate Ward

Applicant: Mr Sam Harrison King Media Ltd
Agent (if any): Mr David Armstrong Armstrong Planning
Case officer: Danielle Cooper
Tel: 0161 234 1658
Email: danielle.cooper@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 29/11/2024

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 29 November 2024

Standard consultations:

Printed: 22 October 2024 Expired: 12 November 2024

Neighbour notifications

Printed: 22 October 2024 Expired: 12 November 2024

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

Listed building: Not applicable

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: N/A

Description of area

The application site fronts Market Street which is one of the principal retail streets in the city centre of Manchester. The building is bound by Market Street and Fountain Street.

The building is in use for retail use at ground floor and residential use to the upper floors.

The site is located within the Upper King Street Conservation Area and adjacent the grade II listed Rylands Building, located at 109-127 Market Street.

Description of development

Temporary display of externally illuminated advertisement hoarding for a period of 33 weeks from the 10/12/2024 until the 31/07/2025.

The proposal is for a temporary display of an externally illuminated shroud advertisement (23.2m width x 6.2m high) at 102-104 Market Street & 2-4 Fountain Street, set within an illustrated scaffold shroud depicting a facsimile of the building imagery. The sign will have a luminance level of 300cd/m².

The works are required as maintenance, repair, wind and water-tightening works are required. The shroud will cover the scaffolding whilst works take place to the building.

The sign will be illuminated by 8 flood lights.

Consultations & Notification Responses

The application was advertised by neighbour notification letters. No representations have been received.

Highways – no objection subject to the proposal not to be used solely for advertisement purposes. Fit out arrangements need to be discussed with highways separately and will be added as an informative.

Environmental health – No concerns as luminance will not exceed 300cd/m².

Policy

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 Manchester Core Strategy – Development Plan Document 2012 – 2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester – For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC15 – Advertisements, Hoardings and Posters
- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings

Other Material Considerations

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and Enhancing the Historic Environment

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Practice Guidance (NPPG)

Places for Everyone The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The following policies are considered relevant to this application.

Policy JP-P1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-S1 (Sustainable Development) aims to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. Preference will be given to using previously-developed (brownfield) land and vacant buildings to meet development needs. In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.

Policy JP-P2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

Issues

Impact on visual amenity, the conservation and heritage assets

The advertisement would affect the setting of the adjacent listed building (Ryland building) and the Upper King Street conservation area. The proposed scaffold wrap would cause less than significant harm to the character and appearance of these heritage assets due to its intrusive albeit temporary appearance, which is emphasised by the illumination of the advertisement.

This harm is justified by the advertisement shroud being temporary.

Hoardings of the nature proposed are only generally acceptable if they are associated with legitimate works to a site or building. The rationale being that the temporary shroud will give the building a more attractive appearance within the street scene than the scaffolding alone would. Display of advertisements on scaffolding can cause unnecessary continued use of scaffolding and this has a negative impact on visual amenity as well as affecting pedestrian access including for disabled people.

This particular advertisement is supported by a programme and signed contract and would be related to the works to prepare the building for development and so is associated with legitimate works to the building.

The applicant has sought consent to display the advertisement until 31st July 2025.

In this context it is therefore considered that the proposed hoarding would relate to legitimate works to the building and would relate properly to the site on which it would stand and that on a temporary basis of 33 months the location of the proposed scaffold wrap displaying advertisements and its impact upon visual amenity would be acceptable.

Given the above, the proposals are considered to be in accordance with policies Sections 12 and 16 of the National Planning Policy Framework, policies EN1, EN3, CC9, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester, and saved policies DC15, DC18 and DC19 of the saved UDP.

Public Safety

No objections regarding public safety have been raised by statutory consultees in relation to this application, provided development is carried out in accordance with certain requirements reflected in the conditions attached to this decision. This includes the luminance levels to not exceed 300cd/m² and discussions to be entered with the highway licencing apartment in regard to the scaffolding in place. As the luminance levels will not exceed 300cd/m, the illuminated hoarding will not result in light overspill onto nearby residential units.

Given the above, the proposal is considered to be in accordance with sections 12 and 16 of the National Planning Policy Framework, Core Strategy Policies DM1 and SP1 and saved UDP policy DC15.

Conclusion

In light of the above, the proposal is considered acceptable and is in accordance with Core Strategy policies SP1, EN1, EN3, CC9, DM1, saved UDP policies DC15, DC18 and DC19, and guidance contained within the NPPF.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Condition(s) to be attached to decision for approval

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) (a) The express advertisement consent hereby granted is limited to a period of 33 months starting on the date of the commencement of the display of the advertisement hoarding hereby approved on the 10th December 2024, expiring on the 31st July 2025.

(b) On the date of the expiry of the advert consent period in (a) above the advertisement hoarding(s) and all associated development shall be removed, any use of the land authorised by this consent shall be discontinued, and the land/building shall be reinstated in accordance with a scheme previously approved.

Reason - To enable the City Council to consider the acceptability of the continuance of the display of the advertisement hoardings at the site on the expiry of the period of

express consent, having regard to visual amenity and changing circumstances in the locality in order to comply with policies DM1, EN1, EN3, CC9, and SP1 of the Adopted Core Strategy for the City of Manchester and saved policies DC15 and DC18 and DC19 of the Unitary Development Plan for Manchester.

3) The advertisement hereby approved shall be displayed in accordance with the following drawings and documents:

The location plan, ref: PY4668/001 (Received 11/10/2024)

Proposed east elevation, ref: PY4668/005 (Received 11/10/2024)

Proposed north elevation, ref: PY4668/006 (Received 11/10/2024)

Proposed standard specification, ref: PY4668/007 (Received 11/10/2024)

Wind and watertight repairs (Received 11/10/2024)

Schedule of specific work items (Received 11/10/2024)

Schedule of condition (Received 11/10/2024)

Planning statement (Received 11/10/2024)

Minor works building contract (Received 11/10/2024)

High efficiency LED slimline floodlights (Received 11/10/2024)

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1, EN1, EN3, CC9 and SP1 of the Core Strategy, and saved policies DC15, DC18 and DC19 of the Unitary Development Plan

4) The maximum luminance of the advertisement shall not exceed 300 cd/m² in brightness at any time.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to policies SP1 and DM1 of the Manchester Core Strategy.

Informatives

1) The applicant is to be advised of the details of working safely near Metrolink which can be found on the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/working-safely>. This document provides contact details for the Metrolink Operator in order that the proposed method of erection can be discussed and relevant permits obtained.

Associated site vehicles must take into consideration the surrounding parking restrictions. The applicant is required to discuss and agree any requirements for temporary traffic and pedestrian management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

It should be ensured that all necessary scaffolding licensing is in place. The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 1, 1 Sickle Street, Manchester, M2 1DL
Flat 5, 1 Sickle Street, Manchester, M2 1DL
Flat 1, 14 Fountain Street, Manchester, M2 2AA
Flat 12, 1 Sickle Street, Manchester, M2 1DL
Unit 5 Halle Place, Arndale Centre, Market Street, Manchester, M1 1PT
Unit 10 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
51 - 55 Market Street, Manchester, M1 1WR
48 Arndale Centre, Market Street, Manchester, M4 2HU
Flat 3, 1 Sickle Street, Manchester, M2 1DL
Flat 6, 1 Sickle Street, Manchester, M2 1DL
Upper Mall, Arndale Centre, Market Street, Manchester, M4 2EA
27 Arndale Centre, Market Street, Manchester, M4 2HU
ALDI, 55A Market Street, Manchester, M1 1WR
Unit 11 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Flat 2, 1 Sickle Street, Manchester, M2 1DL
Flat 4, 14 Fountain Street, Manchester, M2 2AA
Flat 16, 1 Sickle Street, Manchester, M2 1DL
Unit 824 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 2EA
Betfred, 8 High Street, Manchester, M4 1QB
Unit 3 Halle Place, Arndale Centre, Market Street, Manchester, M1 1PT
Flat 14, 1 Sickle Street, Manchester, M2 1DL
Flat 17, 1 Sickle Street, Manchester, M2 1DL
84 Arndale Centre, Market Street, Manchester, M4 2HU
Units 23 To 25 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AT
Lower Mall, Arndale Centre, Market Street, Manchester, M1 1WR
49 Market Street, Manchester, M1 1WR
106 - 122 Market Street, Manchester, M1 1WA
Stall Adjacent 82 To 84, Market Street, Manchester, M1 1PD
Unit 32A, Lower Mall Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Flat 4, 1 Sickle Street, Manchester, M2 1DL
Flat 3, 14 Fountain Street, Manchester, M2 2AA
47 Market Street, Manchester, M1 1WR
35 Market Street, Manchester, M1 1WR
Debenhams, 109 - 127 Market Street, Manchester, M60 1TA
Unit 826 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 2EA
16 Fountain Street, Manchester, M2 2AA
Basement To First Floor, 86 - 88 Market Street, Manchester, M1 1PD
Third Floor And Fourth Floor, 86 - 88 Market Street, Manchester, M1 1PD
Flat 11, 1 Sickle Street, Manchester, M2 1DL
Flat 9, 1 Sickle Street, Manchester, M2 1DL
Flat 15, 1 Sickle Street, Manchester, M2 1DL
Units 20 And 21 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
57 Market Street, Manchester, M1 1WR

33 Market Street, Manchester, M1 1WR
 1A High Street, Manchester, M4 1QB
 Clarendon House, 8 Mosley Street, Manchester, M2 3LQ
 Unit 825 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 2EA
 48A Arndale Centre, Market Street, Manchester, M4 2HU
 Unit 4 Halle Place, Arndale Centre, Market Street, Manchester, M1 1PT
 Flat 2, 14 Fountain Street, Manchester, M2 2AA
 Flat 8, 1 Sickle Street, Manchester, M2 1DL
 Flat 7, 1 Sickle Street, Manchester, M2 1DL
 Flat 10, 1 Sickle Street, Manchester, M2 1DL
 Unit 11 Halle Place, Arndale Centre, Market Street, Manchester, M1 1PT
 Units 31 And 32 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
 Marsden Way South, Arndale Centre, Market Street, Manchester, M1 1WR
 HOLLAND & BARRETT, 105 Market Street, Manchester, M1 1NN
 First Second Floor And Third Floors, 90 - 100 Market Street, Manchester, M1 1PB
 Flat 18, 1 Sickle Street, Manchester, M2 1DL
 Flat 13, 1 Sickle Street, Manchester, M2 1DL
 54 Arndale Centre, Market Street, Manchester, M4 2HU
 93 Arndale Centre, Market Street, Manchester, M4 2HU
 Tim Hortons, 107 Market Street, Manchester, M1 1NN

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
 Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
 Conservation Area - Upper King Street (Extension) Conservation Area 1985
 Susceptible to Surf Water Flood (Less) -
 Area Team Boundary - Name: CENTRAL