MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141350/AO/2024
Date registered valid:	23 October 2024
Proposal:	Installation of various illuminated and non - illuminated name and way finding signage to replace existing
Address:	Powerleague Manchester Nicholls, Nicholls Community Sports Ground, Dalberg Street, Manchester, M12 6BN
Ward(s):	Ardwick Ward
Applicant:	Mr Andrew Bell, Powerleague Fives Ltd
Agent (if any):	Miss Amy Garcia, Carter Jonas
Case officer:	Sue Wills Tel: 0161 234 4524 Email: sue.wills@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**25.11.2024**

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Standard consultations:
Printed: 1 November 2024 Expired: 22 November 2024

Neighbour notifications
Printed: 1 November 2024 Expired: 22 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
This application site is located to the north of the Nicholls Ardwick college on Hyde Road, and is bounded by Dalberg Street, Devonshire Street North and industrial buildings.
The application site currently comprises football pitches, with 6 padel ball courts to be implemented in connection with planning permission ref: 139661/FO/2024. The site is surrounded by fencing and floodlights, together with a single storey building comprising ancillary changing rooms, stores and offices. The sports facilities have a parking area accessed from Dalberg Street to the west, and a separate pedestrian entrance through the building from Ford Street to the south, together with a few additional parking spaces.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area
The Power League Sport Centre lies at the northern end of Ford Street, the former Nicholls sixth form college lies to the south east of the site with Nicholls House at the junction of Hyde Road and Devonshire Street North (Grade II* listed building). To the south west, west, east and north of the site and commercial and industrial premises.

Description of development
Consent is sought for the installation of illuminated signage to the Football and Padel ball Centre building, and various non illuminated wayfinding signage, as detailed below.

-Non illuminated directional sign 1.22m (H) x 2.3m (W) x 0.01m (D) comprising a dibond composite panel (Sign location 1) attached to existing wall on Dalberg Street;

- Non illuminated directional signs 1.22m (H) x 2.44m (W) x 0.01m (D) comprising a dibond composite panel (Sign location 2) attached to existing poles at the entrance to the car park on Dalberg Street;
-- Non illuminated directional signs 1.22m (H) x 2.44m (W) x 0.01m (D) comprising a dibond composite panel (Sign location 3) attached to existing weldmesh fencing on Dalberg Street;
-Non illuminated reception sign 1m (H) x 1m (W) x 0.01m (D) comprising vinyl applied to glass above entrance door (Sign location 5);
-Non illuminated directional sign 1m (H) x 1m (W) x 0.01m (D) comprising a dibond composite panel (Sign location 8) attached to existing weldmesh fencing between the football and Padel ball elements within the site
- 2 Non illuminated signs 0.3m (H) x 0.42m (W) x 0.01m (D) one on either side of the entrance on the southern elevation comprising a dibond composite panel;
-Internally illuminated shield logo sign 1.5m (H) x 1.17m (W) x 0.01m (D) comprising an acrylic panel with white LED's(Sign location 4) affixed to western side elevation of the football / Padel ball facility premises;
-Internally illuminated shield logo sign 1.5m (H) x 1.17m (W) x 0.01m (D) comprising an acrylic panel with white LED's(Sign location 5) affixed to front elevation of the football/ Padel ball facility premises;
-Internally illuminated shield logo sign 1.5m (H) x 1.17m (W) x 0.01m (D) comprising an acrylic panel with white LED's(Sign location 6) affixed to northern elevation of the football / Padel ball facility premises.
- 2 Trough mounted illuminated sign 1.5m (H) x 0.8m (W) x 0.03m (D) (Sign locations 7 & 9).

Consultation & Notification Responses

Local Businesses - no comments received.

Highway Services – Sign Refs. 1 and 3 would be placed on the existing fence/wall fronting the adopted highway (Dalberg Street). These signs are not illuminated and would not overhang the adopted footway. Therefore, a projection over licence would not be required.
Sign Refs. 2 and 5 face the adopted highway at Dalberg Street and Ford Street respectively, but do not overhang the adopted footway. A projection over licence would not be required. Sign Ref. 5 will be internally illuminated to 300cd/m2. This aligns with MCC guidance (max. 600 cd/m2 during non-daylight hours / inclement weather).
None of the signs would hinder internal or external movement as adequate headroom/overhang clearance is provided. All illuminated signs located within the site also align with MCC luminance guidance.
Highways have no objection to the proposed signage.

Environmental Health - Have no comments.

Issues

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024. The PfE Plan and its policies are now a material planning consideration in the determination of planning applications. The PfE Plan and its policies must therefore be given full weight in the planning balance

The relevant Places for Everyone policies for this application are as follows:
JP- Strat5: Inner Areas
JP-S1 – Sustainable Development

JP-J1 – Supporting Long-Term Economic Growth
JP-J2 – Employment Sites and Premises
JP-P7 – Sport and Recreation

The National Planning Policy Framework
This Framework came into effect on 27th March 2012 and was amended and updated in February 2019, in July 2021, and subsequently in December 2023. It represents key up to date national policy and is an important material consideration in determining the current application.
A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development.
The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role (paragraph 8).
Paragraphs 10, 11, 12, 13 and 14 of the NPPF outline a "presumption in favour of sustainable development". The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'. 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.

The Local Planning Authority consider the following sections relevant to this proposal
• Section 12 – Achieving well-designed places

Chapter 12. Achieving well-designed places - 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 131). It further states that: 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions' (paragraph 141).
With regard to advertisement signage Chapter 12 states: 'the quality and character of places can suffer when advertisements are poorly sited and designed. 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. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts' (paragraph 141).
It is considered that the proposed signage represents a design that is found within the context of the local area. On balance, it is considered that the proposed signage would be appropriate in terms of the proposed scale, and context of the building and wider site, and would not be visually intrusive in the streetscene, thereby according with the aspirations set out in Chapter 12.

Town and Country Planning (Control of Advertisements) Regulations 2007 - States that:
(1) 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.
It is considered that the illuminated signage relates satisfactorily to the regulations.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:
Advertisements - This section specifically refers to, amongst other things,
i. Considerations affecting public safety
ii. Considerations affecting amenity.
In this case it is considered that the display of signage would not be detrimental to highway safety and / or the amenity of local area and thereby be appropriately related to the relevant aspects of PPG.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 (`the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.'
The following policies are relevant to the proposed development:
Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:
a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
c. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.
It is not considered that the appearance and specification of the illuminated signage would unduly impact upon the character of the Grade II listed college building which lies some distance to the south east of the site or the local area. The number of signs is proportionate, to the scale of the building and wider site, and signage is appropriately positioned in terms of way finding, and satisfactorily related to the surrounding context. Policy SP1 would thereby be accorded with.

Policy EN 1 Design Principles and Strategic Character Areas - States that design is appropriately related to the character of the surrounding area. It is not considered that the signage departs from the character of the building or would be visually obtrusive, and its illumination would be managed by conditions. The signage is thereby appropriately related to policy EN1.

Policy EN 3 Heritage - Nicholls House at the junction of Hyde Road and Devonshire Street North (Grade II* listed building and forms part of the college campus. However, the location of the football /padel tennis facility, which the proposal relates to is 100m to the northwest of Nicholls House, and is screened from the listed building by Nicholls 6th form college property. Given the extent, scale and nature of the proposed signage it is considered that the proposed development would not give adverse impacts in regard to heritage matters.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:
a. Appropriate siting, layout, scale, form, massing, materials and detail;
b. Impact on the surrounding areas in terms of the design, scale and appearance with regard to the character of the surrounding area;
c. Effects on amenity;
d. Design for health.
For the reasons previously set out above, it is considered that the proposed signage would be satisfactorily related to policy DM1 as it would not harmfully affect the character of the local area or commercial uses in the locality.

Unitary Development Plan saved policies - The following saved policies of the UDP are considered to be relevant:

Policy DC14 - Shopfronts and related signs
Policy DC14.1 - States that in determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shop fronts, where appropriate, and of the area within which the premises are located. Policy DC14.1 has been related to the relationship of the signage to the existing building and the context of the site and considered to be appropriate.
Policy DC14.5 - States that the advertisement regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In determining such applications, the Council will adopt the following policies:
A. In the interests of amenity,
a. Signs should not normally be positioned other than at fascia level;
b. Signs should respect the architectural form of buildings and shop frontages;
B. In the interests of public safety,
h. Any sign which is detrimental to the safety of pedestrians or motorists will be refused.
It is considered that the illuminated and non-illuminated signage has a limited visual impact and thereby accords with policy DC14.1 with regard to amenity. There are no apparent public safety issues associated with the display of the signage as its positioning would accord with policy DC14.5.

Principle
The proposed signage has been appropriately related to the football/padel tennis premises and wider site. The signage is related to the use of the premises and is acceptable in principle.

Height and positioning

As stated, the proposed signage would be appropriately related to the use of the premises. Sufficient clearance above ground is proposed thereby ensuring that there would be no impact on pedestrian movement. The height and position of the proposed signage is considered to be appropriate.

Public Safety
The proposed advertisements are not considered to give rise to any public safety concerns. The location of the proposed signs, together with levels of illumination 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.

The planning agent has confirmed the illuminated signage would have a maximum lighting level of 300cd /m2. Although, the signage is in a predominantly commercial /industrial area adjacent to an former educational facility, it is proposed to attach a condition to any approval to require that the maximum luminance level of the illuminated signage to be displayed shall not exceed 300 cd/m2 during non-daylight hours / inclement weather or exceed 600 cd/m2 during daylight hours.

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.

Visual amenity
The development is located in a mixed commercial area. Subject to the proposed condition to control illumination levels, it is considered that the proposed design and illumination would not give rise to significant impact to residential and visual amenity.

Conclusion - It is considered that the proposed signage would be proportionate and appropriately related to the building and wider site upon which it would be located. The proposed signage, subject to illumination controls secured by condition, would safeguard the amenities of the area. The advertisement signage would appropriately and satisfactorily relate to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester, Saved UDP policies DC14.1, DC14.5 and the National Planning Policy Framework.

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 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
N/A

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1.The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. 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.

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

Site plan showing signage locations plan ref: S1

Signage locations 1 & 2 plan ref: S2 rev. A

Signage locations 3 & 4 plan ref:S3

Signage location 5 plan ref:S4

Signage locations 6 & 7 plan ref:S5

Signage locations 8 & 9 plan ref:S6

received 23rd October 2024

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).

4. The maximum luminance level of the illuminated signage to be displayed shall not exceed 300 cd/m2 during non-daylight hours / inclement weather or exceed 600 cd/m2 during daylight hours.

Reason - In the interests of residential amenity, pursuant to policy DM1 of the Manchester Core Strategy (2012).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Unit 1A, 132 Higher Ardwick, Manchester, M12 6DA
132 Higher Ardwick, Manchester, M12 6DA
Dalberg House, Dalberg Street, Manchester, M12 6BG
Ground Floor Rear, Dalberg House, Dalberg Street, Manchester, M12 6BN
Ground Floor Front, Dalberg House, Dalberg Street, Manchester, M12 6BG
Second Floor, Dalberg House, Dalberg Street, Manchester, M12 6BN
8B Dolphin Street, Manchester, M12 6BG
Nicholls Sixth Form Centre, Ford Street, Manchester, M12 6BA
25 - 27 Harkness Street, Manchester, M12 6BT
33 Harkness Street, Manchester, M12 6BT
57 Hyde Road, Manchester, M12 6BH
8A Dolphin Street, Manchester, M12 6BG
8 Dolphin Street, Manchester, M12 6BG
1 - 5 Dalberg Street, Manchester, M12 6BN
71 - 73 Hyde Road, Manchester, M12 6BH

Appendix 2 – Planning constraints

Article 4 Direction - North Manchester PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA