

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140733/AOH/2024

Date registered valid: 8 August 2024

Proposal: Installation of free standing digital advertisement display following removal of non-illuminated advertisement board

Address: East Side Of Rochdale Road At Junction With Victor Street,
Manchester, M40 7PN

Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Tom Collins JCDecaux

Agent (if any):

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 17 September 2024

Standard consultations:

Printed: 19 August 2024 Expired: 10 September 2024

Neighbour notifications

No neighbour notifications have been printed and sent.

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 on the corner of Rochdale Road and Victor Street in the Newton Heath ward of North Manchester. There is an existing large advertisement hoarding with associated structure which is set away from the back of pavement at this junction, which would appear to have the benefit of deemed consent. The site is not located within a conservation area and there are no listed buildings nearby.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area relates to Newton Heath, an area to the northwest of Manchester's City Centre. It is characterised by lower density, residential buildings, with some light industrial and retail uses. The area is covered by the Northern Gateway SRF.

Description of development

The submitted application is for the installation of one internally illuminated digital advertisement (c6m x 3m) on associated support following removal of existing non-illuminated advertising display.

Consultations & Notification Responses

Publicity - letters were sent to surrounding occupiers notifying them of the development. One representation has been received as a result of this publicity, which stated the following:

Will send too much light to the buildings opposite.

Manchester City Council Highways Services - no objections, condition controlling illuminance, duration and method of display requested.

Environmental Health - no objections, 300cdm2 maximum illuminance considered acceptable

Issues

The main policies and guidance relevant to this application are policies SP1 (Spatial Principles) and DM1 (Development Management) of the Manchester Core Strategy (2012) and saved policy DC15 (Advertisements, hoardings and posters) of the Unitary Development Plan for Manchester (1995).

Principle of development

The submitted application is for the Installation of one internally illuminated digital advertisement (6218mm m x 3100mm) on an associated support structure following removal of existing advertising display.

The site is located to the north of Victor Street on the junction with Rochdale Road a main radial route to and from the City Centre. The position of the advertisement faces south towards traffic on Rochdale Road heading out of the City Centre.

The current advert is set back, in line with the back of pavement. It was noted that this section of the highway appears to be slightly wider along this particular corner and therefore can accommodate the proposed billboard.

To the immediate rear of the advert is substantial tree/hedge screen, which obscures the rear off the billboard from any vantage point in the residences behind the development site.

The current advertisement hoarding does not appear to have any record of advertisement consent. Evidence available online suggests that the existing advert display has been in position on site for over the preceding ten years, and the display therefore benefits from deemed consent by virtue of Class 13 of Schedule 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

Advertisement consent was previously granted for an identical proposal in 2019, under application reference 124342/AOH/2019.

Notwithstanding the acceptability of the principle of the development at this current time, the area is due to undergo significant change as part of the Northern Gateway Regeneration Framework. To allow the Local Planning Authority to reassess the impact of the billboard in the context of any future change to the area, it is considered appropriate to attach a condition limiting the period of display to five years.

Visual amenity

The proposed LED digital advertising display (6.4m width x depth 415mm x 3.5m height). The panel is proposed at the same location as the existing sign, however the advert will be smaller in terms of its size and scale, but the overall height from ground floor level will be slightly higher.

The current advert takes the full width of this particular corner site. The new proposal will be reduced in terms of the width by half, with the same 45 degree orientation of the display itself to the road. This would ensure the advert would be fully visible to passing drivers, whilst the unilluminated blank rear would face the residences behind. This should ensure that there is no glare or overspill into these properties.

Although it cannot be relied upon as a permanent feature, the existing tree screening would remain which would help to reduce the overall visual impact by obscuring views from the north and east.

The proposed plinth and single leg designed support is a utilitarian design of little aesthetic value. The surrounding area is sparsely developed and has no buildings of notably high-quality design or character and hence it is considered that there would be no undue harm to visual amenity that would warrant a refusal.

Highways matters

MCC Highways Services were consulted and have no objections to the proposed development in principle.

The proposed sign is not located on and nor will it project over the adopted highway network. As such, a Projection over License will not be required. There is sufficient carriageway and height clearance. The location of the sign on an area of private land ensures no potential pedestrian conflicts.

The proposed illumination levels to the signs are also considered appropriate and are set in accordance with the standards at 300cd/m², which is deemed acceptable by Environmental Health. Concerns were raised by a local resident regarding potential disamenity that would be created by the illumination. The low illuminance level of 330cd/m² should ensure that there is no glare or light overspill into surrounding residential properties. This would be controlled by a condition.

As per MCC Highways Services, a condition relating to LED panels and images, controlling the display to allow for static images, displayed in sequence changing every 10 seconds, shall be applied to any approval.

Conclusion

Overall, the digital advertising display unit is considered to be acceptable and will have no adverse impact upon the highway nor harm to the visual amenity of the immediate area, therefore no justified reason for refusal.

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) The consent hereby granted is for a limited period only, expiring on 19/09/2029.

Reason - The consent hereby granted is for a temporary period only to help manage the future regeneration of the surrounding area pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

3) The display of the advert hereby consented shall be discontinued no later than the 19/09/2029 and the works and structures comprising the development are required to be removed no later than one month from the display ceasing.

Reason - The use is required to cease within a specified timescale in order to allow reinstatement of the site pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012).

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

- Drawing - Proposed LARGE FORMAT ADVERTISING
- Correspondence COVERING LETTER

Both received by the City Council, as Local Planning Authority, on 08/08/2024

Reason - To ensure that the development is carried out in accordance with the approved plans; pursuant to saved policy DC15 of the Unitary Development Plan for the City of Manchester (1995) and policies SP1 and DM1 of the Core Strategy (2012).

5) (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, traffic lights or traffic signs.

(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) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.

(e) 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.

(f) The maximum luminance level of the advertisements displayed on the panel shall not exceed 300 cd/m² during non-daylight hours / inclement weather

Reason – in the interest of local amenity and highways safety pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012)

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Appendix 2 – Planning constraints

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