

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139964/AOH/2024

Date registered valid: 8 May 2024

Proposal: Replacement of 48-sheet advertisement poster board with a digital advertising screen (6m(wide) x 3m (height)).

Address: 326 Barlow Moor Road, Manchester, M21 8AY

Ward(s): Chorlton Park Ward

Applicant: Wildstone Estates Limited

Agent (if any): Caitlin Holton, Stantec

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 26 June 2024

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 31 May 2024

Standard consultations: Printed: 20 May 2024 Expired: 11 June 2024

Neighbour notifications: Printed: 20 May 2024 Expired: 11 June 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/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application site is located on the south-facing gable end of the redbrick residential end-terraced property known as No.326 Barlow Moor Road. The site's surroundings are mixed in terms of their character, featuring a row of shops with residential properties/flats situated above to the south and semi-detached and terraced residential properties to the north, east and west. The application is also located adjacent to Barlow Moor Road, a busy highway which runs through the district centre of Chorlton in the Chorlton Park ward of Manchester and is situated approximately 58m away from Chorlton bus station. The site is not subject to any statutory historic designations and is not located within a conservation area. There are no listed buildings within proximity to the site.



Figure 1. Existing advertisement poster board and proposed site of development.



Figure 2. Existing advertisement poster board and proposed site of development.



Figure 3. Existing advertisement poster board and proposed site of development.

Description of development

The applicant is seeking permission for the replacement of a 48-sheet advertisement poster board with a digital advertising screen.

Planning history

No previous planning history.

Consultations & Notification Responses

Chorlton Park Councillors Mandie Shilton Godwin, Joanna Midgley, and Dave Rawson submitted an objection in response to the application on the grounds that the proposal would represent a visual intrusion for local residents, would have a detrimental impact upon the highways safety of the area, and would act against Manchester City Council's commitment to achieving zero carbon by 2038.

One objection letter was received from one local resident in response to this application. Their concerns are summarised as follows:

- The digital advertising screen would replace a relatively dormant poster board.
- The bright, active digital advertising screen would be placed next to a busy junction where Beech Road meets Barlow Moor Road, causing a distraction to road users, including motorists, cyclists and pedestrians.
- The proposal represents a hazard that would be detrimental to public safety.

Chorlton Civic Society objected to the proposal on the basis that it would damage the amenity of the area, indicating that Chorlton is a suburban neighbourhood with a dispersed and quiet shopping centre, featuring commercial properties that are secondary to the area's predominantly residential character. The proposal would be inappropriately located in a prominent position which would detract from and degrade the character of the area. The proposal would also be detrimental to highway safety due to its siting adjacent to a busy pedestrian crossing, junction and roadway which is already under significant pressure. The proposal would result in a distraction for road users and would have a significantly higher carbon impact than the existing posterboard.

Environmental Health made no objection to the proposal, requesting a light2 (advertising screens) condition be attached to the decision notice to safeguard the amenity of neighbouring occupiers.

Highways Services made no objection to the proposal, requesting a standard highways condition be attached to the decision notice in the interests of safeguarding public and highways safety.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC15 – Advertisements, hoardings, and posters

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 DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

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.

- Policy JP-P1 – Sustainable Places



Figure 4. Submitted proposed site plan.



Figure 5. Submitted existing and proposed elevations.

Issues

Principle – the principle of replacing a 48-sheet advertisement poster board with a digital advertising screen so as to display multiple, static advertisements on rotation is generally acceptable in circumstances where there are no overriding unduly harmful impacts upon either the character and visual amenity of the area or public safety in and around the site.

In this instance however, the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in terms of harm caused to visual amenity and the character of the area that would warrant the refusal of this application.

On balance, the proposal is deemed to conflict with saved policy DC15 of the UDP, policies DM1 and SP1 of the Core Strategy and chapter 12 of the NPPF.

Visual amenity – the digital advertising screen would be fixed onto the south-facing gable end of residential property No.326 Barlow Moor Road, facing onto an unnamed road leading off Barlow Moor Road as well as the residential flat sited immediately above Carrington's wine store.

It would replace the existing 48-sheet advertisement poster board, featuring the same dimensions, with a height of 3m, width of 6m, and depth of 0.061m. It would be sited 3.8m above ground level, projecting a maximum of 0.097m from the face of the building, with maximum symbol/letter heights of 300cm. It would consist of lightweight digital LED Panels, featuring multi-coloured brightness, with static internal illumination levels of 300 cd/m² from dusk until dawn and up to 5000 cd/m² at all other times, as indicated on the submitted application form.

Overall, it is considered that the proposal would have a significant and adverse impact upon the visual amenity and character of the area. There are no records which indicate that the existing 48-sheet advertisement poster board benefits from planning permission, with the submitted information indicating that the existing arrangements benefit from deemed consent only due to their being in situ for a period of at least 10 years. The existence of an advertisement display at this location has therefore not been formally established, nor would it be supported by the City Council at the current juncture if the existing display were to be formally applied for.

The existing and proposed displays are considered to be inappropriately sited in a prominent position adjacent to Barlow Moor Road on the south-facing gable end of a residential property, which directly faces the residential flat situated above Carrington's wine store. Their excessive scale and massing is considered to result in an overly dominant, intrusive and overbearing feature, which would add high-rise visual clutter to an already visually congested area, to the detriment of the appearance of the street scene and surrounding area. The proposed addition of an illuminated display, with a maximum luminance level of 5000 cd/m², is considered to exacerbate these harmful impacts further, causing substantial and undue harm to the visual amenity of the area and failing to positively contribute to its character overall.

It is for these reasons that the application cannot be supported as it would conflict with the principles set out under policies DM1 and SP1 of the Core Strategy, policy DC15 of the UDP, and chapter 12 of the NPPF.

Public safety – the proposed digital advertising screen would be sited a reasonable distance away from Barlow Moor Road and the public footpath, mounted onto the south-facing gable end of No.326 Barlow Moor Road, replacing the existing 48-sheet advertisement poster board.

It would have maximum static internal illuminance levels of 5000 cd/m², which would be lowered to 300 cd/m² during non-daylight hours and inclement weather, which accords with Highways' safety recommendations as well as the Institute of Lighting Engineers.

Highways also made no objection to the proposal.

Therefore, it is considered that the proposal would not cause undue harm to public safety in and around the site.

Conclusion – for the reasons specified above, it is considered that, overall, the proposal is unacceptable due to its detrimental impact upon the visual amenity and character of the area.

The applicant/agent were informed of the above concerns and were recommended to withdraw the application.

Policy DC15 states that the City Council must give consideration to the 'general location of the proposed development and the effect on visual amenity', however, this proposal is considered to cause undue visual harm to the appearance and character of the surrounding area, thus acting against the principles set out in the aforementioned policies, hence the proposal cannot be supported by the City Council.

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: Refuse

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

1) The proposed advertisement display and structure, by reason of its excessive scale and massing, illuminated digital display, and inappropriate siting in a prominent position adjacent to a public highway and residential properties, would create an overly dominant, overbearing and visually obtrusive feature within the street scene, contributing to the visual clutter of the area, to the detriment of its visual amenity.

As such, the proposal is contrary to policies SP1 and DM1 of the Manchester Core Strategy, saved policy DC15 of the Unitary Development Plan, and chapter 12 of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 2, 463A Barlow Moor Road, Manchester, M21 8AU
Flat 1, 463A Barlow Moor Road, Manchester, M21 8AU
330B Barlow Moor Road, Manchester, M21 8AY
330A Barlow Moor Road, Manchester, M21 8AY
461B Barlow Moor Road, Manchester, M21 8AU
322C Barlow Moor Road, Manchester, M21 8AY
Flat 2, 459 Barlow Moor Road, Manchester, M21 8AU
463B Barlow Moor Road, Manchester, M21 8AU
12 Norbreck Avenue, Manchester, M21 8TG
322B Barlow Moor Road, Manchester, M21 8AY
Flat 3, 459 Barlow Moor Road, Manchester, M21 8AU
Flat 1, 459 Barlow Moor Road, Manchester, M21 8AU
465A Barlow Moor Road, Manchester, M21 8AU
328 Barlow Moor Road, Manchester, M21 8AY
461 Barlow Moor Road, Manchester, M21 8AU
457 Barlow Moor Road, Manchester, M21 8AU
461A Barlow Moor Road, Manchester, M21 8AU
322 Barlow Moor Road, Manchester, M21 8AY
465 Barlow Moor Road, Manchester, M21 8AU
463 Barlow Moor Road, Manchester, M21 8AU
16 Norbreck Avenue, Manchester, M21 8TG
14 Norbreck Avenue, Manchester, M21 8TG

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
Area Team Boundary - Name: SOUTH AREA