

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135222/AO/2022

Date registered valid: 7 February 2023

Proposal: Advertisement consent for the installation of five non-illuminated signage boards

Address: Overflow Mosque Carpark, Upper Park Road, Manchester,

Ward(s): Rusholme Ward

Applicant: Mr Craig Jones, Manchester Central Mosque

Agent (if any): Mr James Hindley, the CAVE Architecture + Design

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 24 January 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 8th March 2023

Standard consultations:

Printed: 16 February 2023 Expired: 9 March 2023

Neighbour notifications

Printed: 16 February 2023 Expired: 9 March 2023

Site notice

Posted: 8 March 2023 Expired: 29 March 2023

Press advert

Published: 28 February 2023 Expired: 21 March 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The site that forms the location for this advertisement application is an overflow car park that services the mosque on Upper Park Road in the Rusholme ward of the City. It is an unmarked car park with a gravel finish. There is a 1.8m high brick wall to the rear of the site and the front of the site has the remnants of a low stone wall as the boundary, behind which sits a Heras panel fence. There are stone pillars either side of the entrance, which is taken off Upper Park Road, and very established trees to the western boundary. The Mosque itself sits to the western end of the car park. Upper Park Road itself is tree lined.

Listed building: Not applicable

Conservation area: Victoria Park Conservation Area 1972

Tree Preservation Order: only as part of Conservation area not independently

Description of area

The area is predominantly residential in nature, comprising of large Victorian villas with some later additions of modern flat developments. The north and south of the site are residential properties whilst adjoining the rear is the site of Ward Hall. Ward Hall is used by Xavarian college and was recently granted planning permission for an extension which would extend across the rear of the site. Ward hall is used for teaching. Facing the site is High Elms which is used for health purpose by the NHS. High Elms and Ward Hall are grade II listed buildings. The proposal site is located within the Victoria Park Conservation Area.

Description of development

The application seeks Advertisement consent for the installation of five non-illuminated signage boards that will be directional boards for the car park and pay and display machine. The signs are made up as follows:

1 x Signage type A-Entrance Sign 125cm X180cm

2 x Signage type B- Terms and Conditions Sign 45cm X 65cm

2 x Signage type C- Parking Charges Sign 80cm x 90cm

Consultations & Notification Responses

Local Residents were informed- no representations have been received.

Rusholme, Fallowfield and Moss Side Civic Society- were consulted no representations have been received.

Highways- have no objections to the advertisements in isolation, however, should a formal layout of the car park ever be received, the positioning may need to be assessed.

POLICY

1. Town and Country Planning (Control of Advertisements) (England) Regulations 2007
The Advertisement regulations require that applications for advertisements be considered only in the interests of amenity and public safety.

2. The National Planning Policy Framework (NPPF), (December 2023)

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

Policy DM 1 (Development Management)

Policy SP1 (Spatial Principles)

Policy EN1 (Design Principles and Strategic Character Areas)

Policy EN3 - Seeks to protect the City's heritage assets from the impact of development.

Policy EC1 (Employment and Economic Growth in Manchester)

4. Saved Unitary Development Plan Policies - The UDP has been superseded by the Core Strategy Development Plan, of relevance are the following saved policies.

Saved Policy DC14 - Advertisement Regulations

Saved Policy DC15 - Advertisements, Hoardings

Saved Policy DC18 - Seeks to preserve or enhance the City's Conservation Areas.

ISSUES

Principle

The proposed signage is typical of signage associated with the nature of the use of the application site. Notwithstanding this, as required by the Town and Country Planning (Control of Advertisements) Regulations 2007, matters relevant to the consideration of this application must be assessed given to the residential amenities of occupants of nearby residential uses and visual amenity.

Amenity

The proposed signs would be internal to the car park itself, all being at various locations around the existing car park. None of the proposed signs would be illuminated. There are residential properties within the vicinity of the site, however as the signage is not illuminated it is not considered that the proposal would have a detrimental impact upon the level of amenity currently enjoyed by the neighbouring properties. The signage would provide a clear and effective display of information and directional signage with no undue harm to amenity or public and highway safety.

Design and Siting-

The position and scale of the signs is considered to be acceptable in context with the wider area of the use of the car park as an overspill car park in association with the existing mosque. They

are sufficient to provide direction for the use of the car park, whilst ensuring that they remain subservient and sympathetic to the neighbouring residential uses within the locale and fit well with the background of the host building and the overall appearance of the area. The location of the proposed signage is to ensure sufficient visibility to the traffic and pedestrians, whilst not intruding into the public realm.

Impact on the Conservation Area

It is not considered that the signage in isolation would have a detrimental impact upon the character of the Victoria Park Conservation area. The amount of signage is minimal, and none of the signage is illuminated. All the signage would be sited within the curtilage of the proposal site and would not be viewed readily within the context of the immediate and wider conservation area.

Lighting

The signage would be non-illuminated, and as such there would be no issue from light dispersal to the neighbouring properties.

Public Safety

The proposed signs would be displayed within the vicinity of the site, they do not project or overhang the public areas and as such would pose no safety issues to the public.

Conclusion

Given the context of the location and the reasons outlined above, it is not considered that the signage would adversely impact the character of the surrounding area, nor is it considered to present any adverse impacts on public and highway safety, pursuant to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, The National Planning Policy Framework; Core Strategy policies DM 1, Policy SP1, EN1; and saved Unitary Development Plan policies DC14 and DC15 and DC18.

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 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:

P100 Proposed location of signage 7th February 2023

LP- Location Plan 18th October 2022

1, 2 and 3 Signage visuals 18th October 2022

Signage Sheet 7th February 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) Notwithstanding the car park layout detailed on drawing reference P100 the only elements that are being assessed through the submission of this application are the location and details of the proposed car park signage. Therefore, approval of the signage does not by default constitute consent for the use of the site as a pay and display car park. A separate application would be required for the consideration of the use.

Reason

To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Rusholme, Fallowfield & Moss Side Civic Society

40 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
12 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
14 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
15 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 13, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 36, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 33, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 30, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 29, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 26, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 19, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 17, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 10, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
23 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
25 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
38 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Carolside, Upper Park Road, Manchester, M14 5RT
Apartment 9, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 8, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 7, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 6, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 5, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 4, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 35, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 34, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 32, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 3, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 28, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 27, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 21, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 20, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 2, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 18, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 16, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 11, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
Apartment 1, Ellerslie Court, Upper Park Road, Manchester, M14 5RH
24 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
31 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
39 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
22 Ellerslie Court, Upper Park Road, Manchester, M14 5RH
37 Ellerslie Court, Upper Park Road, Manchester, M14 5RH

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Victoria Park Conservation Area 1972
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA