MANCHESTER CITY COUNCIL

Planning

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Mrs Susan Jones
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Date: 23 August 2024

Dear Sir/Madam,

Decline to Determine Application
Application No: 140398/AOH/2024
Proposal: Display of 1 no. LED digital advertisement display, approximately 12.3m x 3.1m x 0.25m
Address: ECP Car Park , Aytoun Street, Manchester,

I refer to the above planning application, which was registered valid on 28 June 2024.

Under Section 70A of the Town and Country Planning Act 1990 (as amended), as modified in Part 2 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), a local planning authority may decline to determine an application for express consent, if the Secretary of State has dismissed an appeal against the refusal of a similar application in the two years prior to the submission of that application.

In the opinion of the local planning authority, the proposal of this application as set out in the documents and associated plans, is similar to the previous application for express consent considered under reference: 132240/AOH/2021, that the local planning authority refused by notice on 14 January 2022, and the Secretary of State subsequently dismissed at appeal under reference: APP/B4215/Z/22/3294291 on 29 November 2022.

There has been no significant change in the relevant considerations since the dismissal of the appeal and the Council remain of the view that the proposal fails to comply with local and national policy, in so far as they are material to the application; and the factors relevant to amenity and public safety that the local planning authority are required to take into account when exercising their powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Therefore, pursuant to Section 70A of the Town and Country Planning Act 1990 (as amended), as modified in Part 2 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), the Council as local planning authority, hereby declines to determine the application.

As the decision to decline to determine the application has been made within the statutory 8-week period, there is no right of appeal to the Secretary of State against non-

determination under Section 78 as that right is lost under the provision of Section 78(2), as modified in Part 3 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Yours faithfully,



Julie Roscoe
Director of Planning, Building Control & Licensing