MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140097/AO/2024
Date registered valid:	23 May 2024
Proposal:	Installation of free standing non-illuminated totem sign
Address:	Land Off Elizabeth Street, Manchester, M8 8BB
Ward(s):	Cheetham Ward
Applicant:	Mr Henry Martin, Kier Trade City LLP
Agent (if any):	Mr Martin Ellison Horizon Fletcher Rae
Case officer:	Steven McCoombe Tel: 0161 234 4607 Email: steven.mccoombe@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	24 June 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 21 June 2024

Standard consultations:
Printed: 31 May 2024 Expired: 21 June 2024

Neighbour notifications
Printed: 31 May 2024 Expired: 21 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 and surroundings

The site relates to an area of grass verge adjacent to a new vehicular access off Elizabeth Street which serves a new warehouse development current under construction, comprising two storey industrial and logistics warehouse units (Use Class B2 / B8), including ancillary offices and trade counters, following the granting of host planning permission referenced 133125/FO/2022.

The site is surrounded by other commercial, and employment uses to the north-east, south-east and southwest, with a residential apartment block (St David's Court) to the north-east. Further to the north, lies the residential areas of Cheetham Hill. Manchester Fort Shopping Park, one of the City's largest out of the centre retail destinations is located 250 metres to the east on Cheetham Hill Road.

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Advertisement consent is sought for the installation of a single, 4.25 metre high, non-illuminated, double sided, totem sign to the site entrance. The sign would advertise the businesses located within the new warehouse development to the south.

The proposed sign is positioned on a grass verge adjacent to the vehicular access of Elizabeth Street.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Environmental Health – No objection.

Highway Services – No objection. The proposed totem sign appears to be located on private land and not on the adopted highway network. There is no proposed luminance.

Cadent – An 'informative' is requested in relation to their assets and infrastructure.

Policy

The primary legislation relates to the Town and Country Planning (Control of Advertisements) Regulations 2007. This is supplemented by policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy, as well as guidance contained within the National Planning Policy Framework (NPPF).

Paragraph 141 of the NPPF 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'.*

Issues

Visual Amenity and Public Safety

The proposed signs represent a modern, relatively un-intrusive design, which would be located within the setting of a new warehouse development.

It is believed that due to the position, design and lack of illumination of the proposed signage, coupled with the commercial context of the backdrop, there would not be any significant undue impact upon either visual amenity or public safety - the only relevant considerations for such proposals.

Whilst the signage will be visible from a distance outside the bounds of the site, it is not believed it would result in a strident or intrusive impact to visual amenity.

No issues are raised from a public safety perspective. Due the position of the sign in relation to the vehicular entrance, sufficient visibility would be provided so not to jeopardise highway safety.

Given the above, it is considered that the proposal accords with Town and Country Planning (Control of Advertisements) Regulations 2007, as well as the relevant, aforementioned Development Plan policy and guidance.

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

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

Drawings referenced 21039-FRA-XX-XX-DR-A-90-0031/P1 and 21039-FRA-XX-XX-DR-A-10-0001/C1, received by the City Council as Local Planning Authority on 23 May 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.

3) 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.

Informative

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.
If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Unit A1 Pure Gym, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
LiDL, Unit A2, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
Unit B1, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
Bernstern House, 23 Elizabeth Street, Manchester, M8 8BB
Ruksons House, 25 Elizabeth Street, Manchester, M8 8BB
Unit A1 Evans Cycles, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA