Planning

Growth & Development

Delegated officer report for planning application

Application no.	138292/AOH/2023
Date registered valid:	6 December 2023
Proposal:	Installation of temporary 2.4 metre advertisement hoarding in associated with development site
Address:	3 Rodney Street, Manchester, M4 6JJ
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Manchester City Council
Agent (if any):	
Case officer:	Max Gibson Tel: 0161 219 6359 Email: maximillian.gibson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	22 January 2024

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit:

Standard consultations:
Printed: 8 December 2023 Expired: 29 December 2023

Neighbour notifications
Printed: 8 December 2023 Expired: 29 December 2023

Site notice
Posted: Expired:

Press advert
Published: 19 December 2023 Expired: 2 January 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building
This 0.76 ha site is bounded by Jersey Street, Rodney Street, Wadeford Close, Butler Street and a public footpath. It is in Ancoats and adjacent to the Miles Platting. It is a flat, rectangular site that is accessed off Wadeford Close. It consists of areas of hard and soft landscaping with mature tree coverage around the permitter and is in an area dominated by industrial buildings. The site has remained vacant for a number of years.

Miles Platting has been transformed over the past 15 years with the development of homes and public realm. More recent activity has focused on sites in Ancoats consisting of higher density housing, with ground floor commercial uses, in new buildings and conversion of existing older buildings. New Islington Free School and Medical Centre provide amenities which support the significant population growth in the area.

This change has been underpinned by Regeneration Frameworks including the Eastlands Regeneration Framework, the Ancoats and New Islington and Poland Street Zone Neighbourhood Development Frameworks. The site is identified for high density homes which builds on the aspirations of the PFI.

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order:

Description of area
The site is adjacent to the Ancoats conservation area and the following listed buildings or structures are nearby: Beehive Mill (Grade II*), Doubling Mill Fireproof Mill (Grade II*), New Mill (Grade II*), Decker Mill Old Mill (Grade II*), Little Mill (Grade II), Former Warehouse and Officers of Old Mill, Decker Mill and New Mill (Grade II), Union Street Bridge (Grade II) and Victoria Square (Grade II). There are also known archaeological remains.

Description of development
The development relates to the installation of two advertisement hoardings for a temporary period until 30/11/2026. The hoarding relates to the residential development approved under 134154/VO/2022 which is under construction. The content is promotional advertisement for this development.

Consultations & Notification Responses
Publicity - letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

MCC Highways Services - proposal is acceptable in principle.

Issues

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the adjacent Conservation Area and Public Safety. The main policies that relate to the assessment of the proposal are the Town and Country Planning (Control of Advertisements) Regulations 2007 and Core Strategy policies DM1 (Development Management), SP1 (Spatial Principles), CC9 (Design and Heritage) and EN3 (Heritage), the Saved Policies contained within the Unitary Development Plan for Manchester in particular DC14 (Shop fronts and Related Signs), DC15 (Advertisements, Hoardings and Posters) DC18.1 (Conservation Areas) and DC19 (Listed Buildings) and the National Planning Policy Framework, in particular Section 12 (Achieving well-designed places) and Section 16 (Conserving and enhancing the historic environment).

Town and Country Planning (Control of Advertisements) Regulations 2007

The Local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—
(a)the provisions of the development plan, so far as they are material; and
(b)any other relevant factors.
(2) Without prejudice to the generality of paragraph (1)(b)—
(a)factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
(b)factors relevant to public safety include—
(i)the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
(ii)whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
(iii)whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
(3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.
(4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed

Issues

The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. An assessment of the proposals under these criteria is outlined below.

Visual Amenity
The proposed advertisements would be mounted to a temporary hoarding that serves to preclude access to, and obscure views into, a development site. The advertisements would therefore improve the appearance of the area whilst construction is underway, avoiding large expanses of monochrome hoardings.

Furthermore, consent is sought only for a temporary period until 30/11/2026. Therefore, any detrimental impacts on visual amenity would be temporary in nature.

On balance, it is considered there are no concerns regarding visual amenity that would warrant a refusal.

Public safety
There are no concerns surrounding public safety in relation to this application. The adverts are static and non-illuminated and therefore should not give rise to driver distraction. Highways have stated the development is acceptable following assessment of the application.

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

Article 35 Declaration

n/a

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:

-Drawing - Proposed SIGNAGE
-Drawing - Proposed SIGNAGE
-Supporting Information TEMPORARY WORKS DESIGN CERTIFICATE
-Drawing - Site Plan RODSTA-BUT-ZZ-00-DP-A-01001 P03 PROPOSED SITE PLAN
-Correspondence COVERING LETTER
Received by the City Council, as Local Planning Authority, on 10/10/2023

Reason - to ensure the development is carried out in accordance with the approved plans pursuant to policy DM1 and SP1 of the Manchester Core Strategy

3) The consent hereby granted is for 2 years 10 months only, expiring on 30/11/2026, and the advert comprising the development for which consent is hereby temporarily granted is required to be discontinued on that date.

Reason - This temporary permission will allow the City Council to reconsider the consequences of development on the site which are not foreseeable beyond the expiry of this temporary permission, pursuant to the Manchester Core Strategy policies SP1, CC1, CC10, CC8 and DM1.

Appendix 1 – List of consultees & neighbours notified

Highway Services

21 Butler Street, Manchester, M40 7SW
25 Garforth Avenue, Manchester, M4 6JS
Flat 38, 2 Butler Street, Manchester, M4 6BZ
Flat 11, 2 Butler Street, Manchester, M4 6BZ
Flat 53, 2 Butler Street, Manchester, M4 6BZ
Flat 43, 2 Butler Street, Manchester, M4 6BZ
96 Jersey Street, Manchester, M4 6JD
98 Jersey Street, Manchester, M4 6JD
19 Butler Street, Manchester, M40 7SW
Roadrider Despatch, Harriett Street, Manchester, M4 6HB
22 Garforth Avenue, Manchester, M4 6JS
Flat 6, 2 Butler Street, Manchester, M4 6BZ
Flat 30, 2 Butler Street, Manchester, M4 6BZ
Flat 15, 2 Butler Street, Manchester, M4 6BZ
Flat 54, 2 Butler Street, Manchester, M4 6BZ
Flat 44, 2 Butler Street, Manchester, M4 6BZ
Flat 56, 2 Butler Street, Manchester, M4 6BZ
15 Butler Street, Manchester, M40 7SW
Flat 34, 2 Butler Street, Manchester, M4 6BZ
Flat 29, 2 Butler Street, Manchester, M4 6BZ
Flat 26, 2 Butler Street, Manchester, M4 6BZ
Flat 13, 2 Butler Street, Manchester, M4 6BZ
Flat 12, 2 Butler Street, Manchester, M4 6BZ
Flat 25, 2 Butler Street, Manchester, M4 6BZ
Flat 23, 2 Butler Street, Manchester, M4 6BZ
Flat 62, 2 Butler Street, Manchester, M4 6BZ
Flat 52, 2 Butler Street, Manchester, M4 6BZ
Flat 46, 2 Butler Street, Manchester, M4 6BZ
Flat 45, 2 Butler Street, Manchester, M4 6BZ
100 Jersey Street, Manchester, M4 6JD
1 Rodney Street, Manchester, M4 6JJ
5 Rodney Street, Manchester, M4 6JJ
Flat 9, 2 Butler Street, Manchester, M4 6BZ
Flat 4, 2 Butler Street, Manchester, M4 6BZ
Flat 1, 2 Butler Street, Manchester, M4 6BZ
Flat 35, 2 Butler Street, Manchester, M4 6BZ
Flat 16, 2 Butler Street, Manchester, M4 6BZ
Flat 14, 2 Butler Street, Manchester, M4 6BZ
Flat 10, 2 Butler Street, Manchester, M4 6BZ
Flat 48, 2 Butler Street, Manchester, M4 6BZ
Flat 58, 2 Butler Street, Manchester, M4 6BZ
Flat 47, 2 Butler Street, Manchester, M4 6BZ
Flat 55, 2 Butler Street, Manchester, M4 6BZ
90 Jersey Street, Manchester, M4 6JD
Flat 5, 2 Butler Street, Manchester, M4 6BZ
Flat 3, 2 Butler Street, Manchester, M4 6BZ
Flat 2, 2 Butler Street, Manchester, M4 6BZ
Flat 37, 2 Butler Street, Manchester, M4 6BZ
Flat 32, 2 Butler Street, Manchester, M4 6BZ
Flat 19, 2 Butler Street, Manchester, M4 6BZ

Flat 63, 2 Butler Street, Manchester, M4 6BZ
Flat 51, 2 Butler Street, Manchester, M4 6BZ
88 Jersey Street, Manchester, M4 6JD
94 Jersey Street, Manchester, M4 6JD
17 Butler Street, Manchester, M40 7SW
7 Rodney Street, Manchester, M4 6JJ
Flat 7, 2 Butler Street, Manchester, M4 6BZ
Flat 36, 2 Butler Street, Manchester, M4 6BZ
Flat 31, 2 Butler Street, Manchester, M4 6BZ
Flat 21, 2 Butler Street, Manchester, M4 6BZ
Flat 18, 2 Butler Street, Manchester, M4 6BZ
Flat 24, 2 Butler Street, Manchester, M4 6BZ
Flat 40, 2 Butler Street, Manchester, M4 6BZ
Flat 57, 2 Butler Street, Manchester, M4 6BZ
92 Jersey Street, Manchester, M4 6JD
13 Butler Street, Manchester, M40 7SW
Flat 8, 2 Butler Street, Manchester, M4 6BZ
Flat 39, 2 Butler Street, Manchester, M4 6BZ
Flat 28, 2 Butler Street, Manchester, M4 6BZ
Flat 49, 2 Butler Street, Manchester, M4 6BZ
Flat 61, 2 Butler Street, Manchester, M4 6BZ
Flat 59, 2 Butler Street, Manchester, M4 6BZ
Flat 50, 2 Butler Street, Manchester, M4 6BZ
Flat 41, 2 Butler Street, Manchester, M4 6BZ
86 Jersey Street, Manchester, M4 6JD
9 Rodney Street, Manchester, M4 6JJ
Flat 33, 2 Butler Street, Manchester, M4 6BZ
Flat 27, 2 Butler Street, Manchester, M4 6BZ
Flat 22, 2 Butler Street, Manchester, M4 6BZ
Flat 20, 2 Butler Street, Manchester, M4 6BZ
Flat 17, 2 Butler Street, Manchester, M4 6BZ
Flat 64, 2 Butler Street, Manchester, M4 6BZ
Flat 60, 2 Butler Street, Manchester, M4 6BZ
Flat 42, 2 Butler Street, Manchester, M4 6BZ

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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 - Ancoats Conservation Area 1989
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL