

Planning

Growth & Development

Delegated officer report for planning application

Application no. CDN/21/0907

Date registered valid: 2 December 2021

Proposal: Discharge of condition 3 attached to planning permission for application 130510/AOH/2021 relating to the precise location of Advertising CIP Unit at Site 12 ref A01562

Address: Pavement Of The North East Side Of Princess Street , Manchester

Ward(s): Piccadilly Ward

Applicant: Mr Martin Stephens JCDecaux UK Limited

Agent (if any):

Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 March 2024

Application details

Type of application: Approval of condition application

Development type: Notifications

Date of site visit:

Standard consultations:

Printed: 13 December 2021

Expired: 3 January 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

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

Listed building: Not applicable

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

Environmental Health - made a request for a light report. The applicant had one undertaken in Edinburgh to measure the levels of installed LCD screens along Princes Street. These units are the same as those installed in Manchester and were forwarded to Environmental Health.

Environmental Health have said that the information submitted is sufficient to address the condition.

Highways - have stated "With regards to condition 3 the information provided is sufficient to allow us to recommend the discharge of this condition from a Highways perspective

Issues

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

Article 35 Declaration

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

1) The following information has been submitted for approval in respect of condition 3:

Documents

A01562 Alternate Site on North East Side of Princess Street received 2nd December 2021
Illuminance Report for a 6 sheet LED Scroller compared to a 6 Sheet Digital received via the email from Martin Stephens dated 10 January 2022

Professional Lighting Guide PLG 05 The Brightness of Illuminated Advertisements produced by the Institution of Lighting Professionals

Roadside Advertising Estate FORUM CIP PART 3 Product Detail April 2021 document received via the email from Martin Stephens dated 10 January 2022

The information is considered to be acceptable and condition 3 will be formally discharged so long as the development is carried out in accordance with the submitted information

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Highway Services

Appendix 2 – Planning constraints

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 Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Whitworth Street Conservation Area 1985
Area Team Boundary - Name: CENTRL