MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137780/AO/2023
Date registered valid:	4 August 2023
Proposal:	Advertisement consent for the display of V-shaped sales sign and 7 no. flagpole signs
Address:	Land To The Rear Of 354 Wilbraham Road, Manchester
Ward(s):	Chorlton Park Ward
Applicant:	Mr Thomas Miller, Anwyl Homes
Agent (if any):	
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **05/02/2024**

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 26/01/2024

Standard consultations:
Printed: 12 January 2024 Expired: 2 February 2024

Neighbour notifications
Printed: 12 January 2024 Expired: 2 February 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

The proposal relates to land to the rear of 354 Wilbraham Road. The land has approval for the erection of a 65 dwellings (Use Class C3(a)), with associated infrastructure, including landscaping, ecological mitigation, drainage and car parking, access from Wilbraham Road (known as ‘Dalton Park’).

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



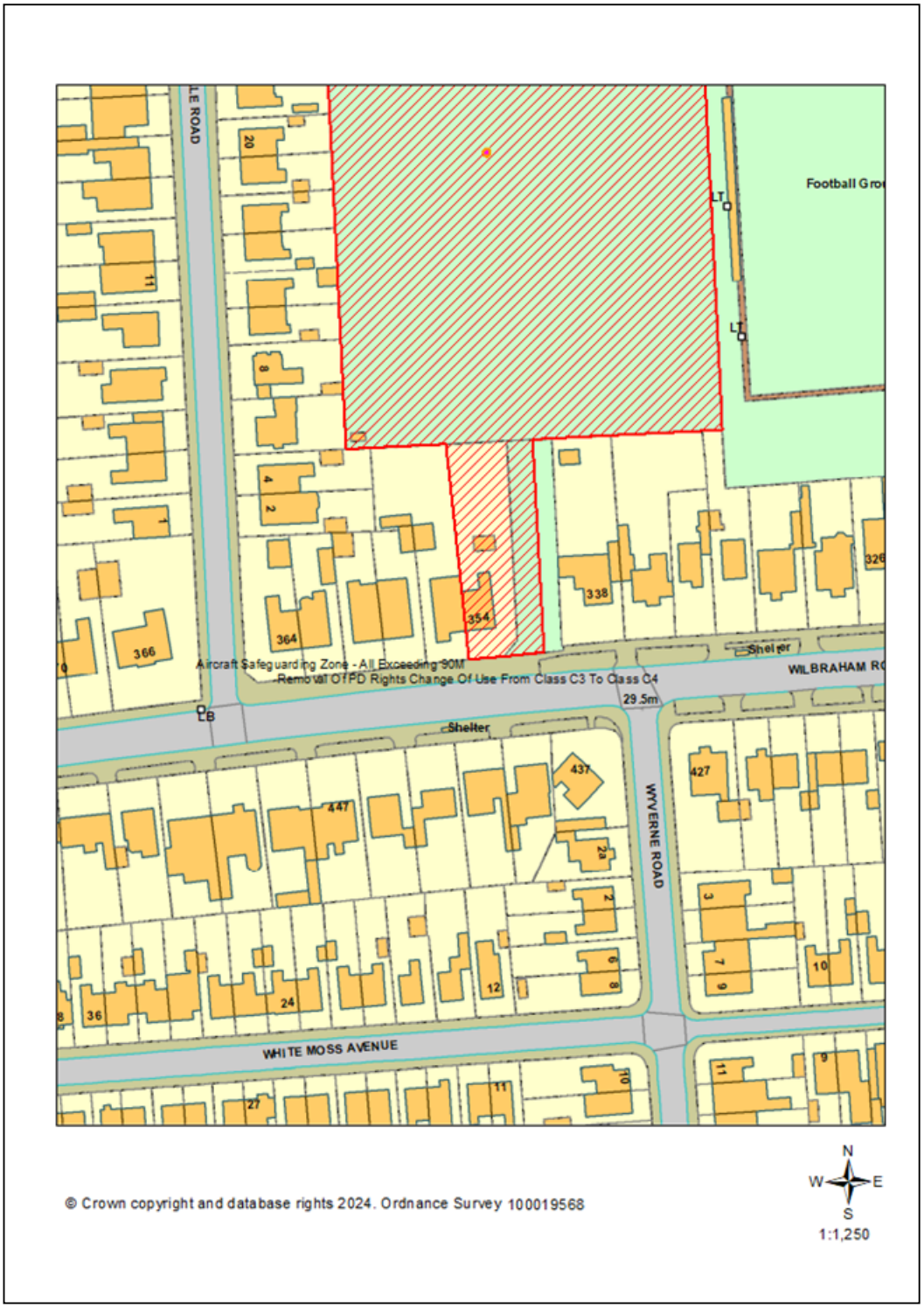
Figure 1. Street scene



Figure 2. Site access

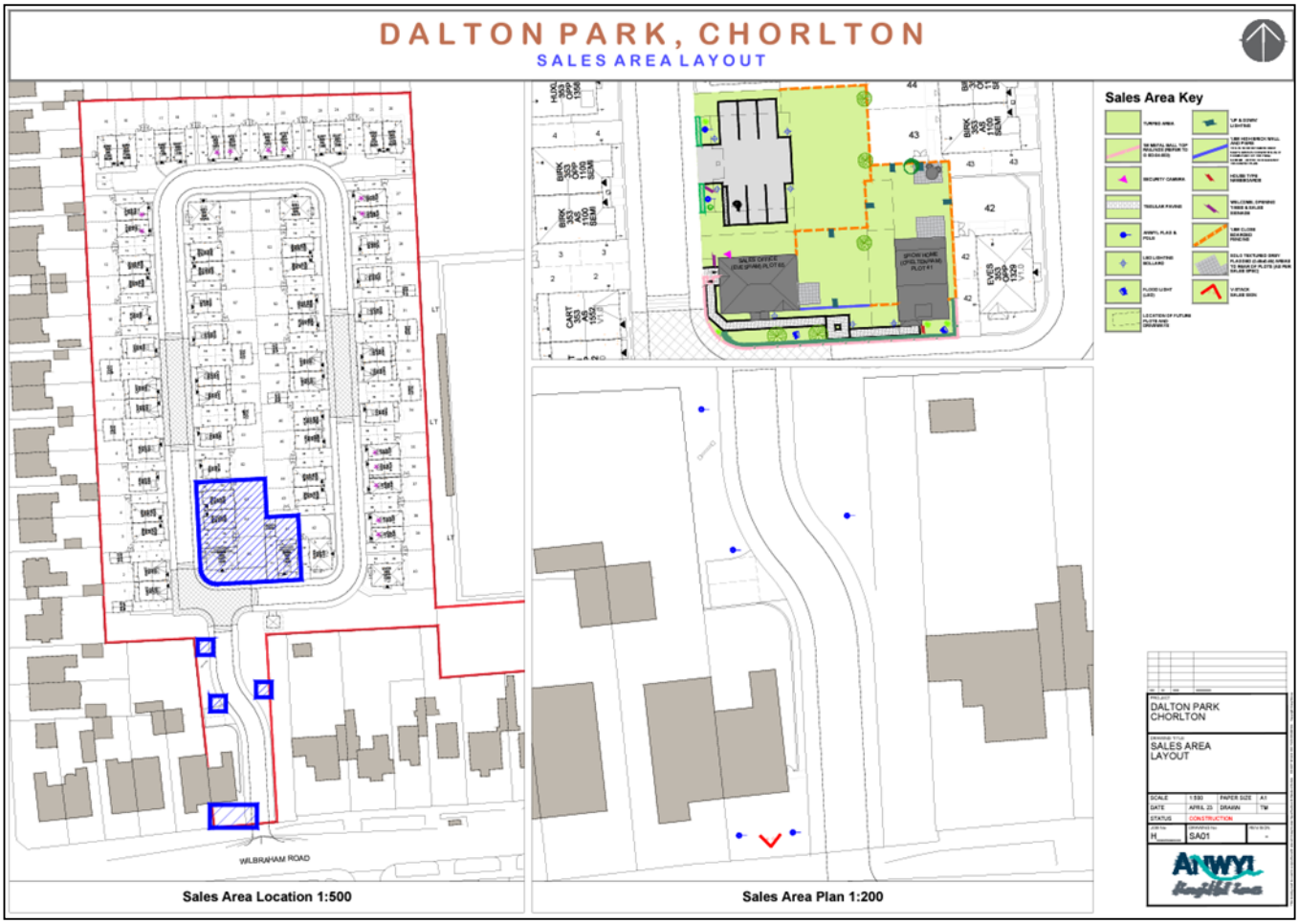
Description of area

The proposal is located in a mostly residential part of Manchester's Chorlton Park ward. The exact location of the proposed advertising is facing into Wilbraham Road.



Description of development

The applicant is proposing the advertisement consent for the display of V-shaped sales sign and 7 no. flagpole signs.



Planning History

135604/FO/2022

Description: Erection of a 65 dwellings (Use Class C3(a)), with associated infrastructure, including landscaping, ecological mitigation, drainage and car parking, access from Wilbraham Road, and demolition of garage to the rear of 354 Wilbraham Road

Decision: Approved 13/10/2023

Consultations & Notification Responses

Consultations

Manchester City Council Highways Services

Manchester City Council Highways Service were consulted on this application.

Highways had no objection to the proposal.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

Policies & Principle

Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

In considering this application, we consider the following policies relevant.

Local

- The Manchester Core Strategy Development Plan Document 2012-2027 The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and is used to review development applications. We consider the following Core Strategy Policies relevant to this proposal.
    - DM 1 - Development Management

    - SP 1 - Spatial Principles
    - EN 1 - Design Principles and Strategic Character Areas
- Extant Unitary Development Plan (UDP) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.
    - DC15 - Advertisements, Hoardings and Posters.

Regional

- Places for Everyone Plan - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester. Once Manchester adopts the Places for Everyone Plan, it will become part of the city's development plan.

National

- The National Planning Policy Framework (The NPPF) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places
- Town and Country Planning (Control of Advertisements) Regulation 2007 – This regulation is a law in England. It controls how advertisements are developed.
    - Section 3 - Powers to be exercised in the interests of amenity and public safety

Principle of the development

The proposal's principle is acceptable. No factors in amenity terms would warrant refusal.

After careful consideration, it is concluded that the proposed development aligns with the Manchester Core Strategy, Extant UDP, and the NPPF. This conclusion is based on the assessment in the sections that follow.

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

DM 1 – Development Management

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

Appropriate siting, layout, scale, form, massing, materials, and detail

The applicant is seeking the Advertisement consent for the display of V-shaped sales sign and 7no. flagpole signs

The advertising is related to the new ‘Dalton Park’ development of 65 dwellings previously approved.

The signage is similar to what is expected in size, design, and materials.

Officers consider the new development to be acceptable in its siting, layout, scale, form, massing, materials, and detail.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

The proposal is similar in size and scale to others nearby. Therefore, it can fit on the property site and won't disrupt the area's existing features.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The proposal is expected to have a negligible effect on privacy.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

All signs will be placed on private land and will not have an impact on the approved pedestrian/vehicular access, parking, circulation, or the external highway network. Sufficient headroom and carriageway clearance will be provided. The signs will not extend over the adopted highway and therefore will not require a projection over license. There is no proposed luminance of the signs.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

Effects relating to biodiversity, landscape, archaeological or built heritage

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The dwelling benefits from a garden beyond the siting of the proposed development.

The proposal would minimally affect green infrastructure and would balance new development with existing green space.

The proposal has negligible impact on green infrastructure and balances development with existing green space.

The proposal is therefore in accordance with this development management principle.

Flood risk and drainage.

The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should ‘make a positive contribution to neighbourhoods of choice’.

We consider this proposal to accord with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the ‘Southern Character Area’.

We consider this proposal to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

DC15 - Advertisements, Hoardings and Posters

This policy outlines the key issues when considering development of Advertisements, Hoardings and Posters.

We consider this proposal to accord with the principles of this policy.

Places for Everyone Plan

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester’s development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council’s Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

This proposal is considered to accord with the aspirations of the Places for Everyone Plan.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

We consider this proposal to accord with the principles of the NPPF.

Town and Country Planning (Control of Advertisements) Regulations 2007

The Town and Country Planning (Control of Advertisements) Regulation 2007 is an act of the United Kingdom Parliament regulating the development of advertisements in England.

Section 3

Section 3 outlines the powers to be exercised in the interests of amenity and public safety by the local planning authority.

1. A 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.

The proposal has been assessed against this criterion and is deemed in accordance with the regulations.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
- Manchester Residential Quality Guide (July 2016) (MRQG)
- Manchester, Salford, and Trafford Strategic Flood Risk Assessment
- Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems
- Manchester City Council Planning and Noise Technical Guidance (2022)
- Air Quality & Planning Technical Guidance (2022)
- Planning and Contaminated Land Technical Guidance (2021)
- Greater Manchester Joint Waste Development Plan Document (GMJWDPD)
- Waste Storage and Collection Guidance for New Developments (2017)
- Hot Food Takeaway Supplementary Planning Document (2017)
- Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards (2020)
- Manual for Streets (2007)
- National design guide & National Model Design Code (2021)
- Outdoor advertisements and signs: a guide for advertisers (2007)

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.

Conclusion

We find the proposal's design, size, and appearance acceptable for this location. It won't harm nearby properties or the street's character. There are no other material considerations of enough weight to say otherwise. Due to these reasons, the proposal is not likely to have a negative impact. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

Recommendation: Approve

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner. We assessed the proposal with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan, and other material considerations. No significant problems have arisen during the consideration of this application.

Condition(s) to be attached to decision for approval

1. **3-year time limit**

   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. **Specified plans**

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

   a. Drawing - Location Plan 04 Aug 2023 SA01
   b. Drawing - Proposed 04 Aug 2023 PLAN
   c. Drawing - Proposed 04 Aug 2023 PLAN

   Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

3. **Specified materials**

   The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

   Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

4. **Advertisement mandatory condition**

   a. 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.
   b. 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.

c. 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.
d. 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.
e. 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.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM 1, SP 1 and EN 1 of the Manchester Core Strategy (2012) and The Town and Country Planning (Control of Advertisements) Regulation 2007.

Appendix 1 – List of consultees & neighbours notified

Highway Services

St Margarets Centre, Brantingham Road, Manchester, M21 0TT
217 Brantingham Road, Manchester, M21 0TT
211 Brantingham Road, Manchester, M21 0TT
8 Morville Road, Manchester, M21 0UR
32 Morville Road, Manchester, M21 0UR
445 Wilbraham Road, Manchester, M21 0UZ
439 Wilbraham Road, Manchester, M21 0UZ
437 Wilbraham Road, Manchester, M21 0UZ
358 Wilbraham Road, Manchester, M21 0UX
338 Wilbraham Road, Manchester, M21 0UX
332 Wilbraham Road, Manchester, M21 0UX
Playing Field Next To 185, Brantingham Road, Manchester, M21 0TT

360 Wilbraham Road, Manchester, M21 0UX

205 Brantingham Road, Manchester, M21 0TT

187 Brantingham Road, Manchester, M21 0TT

6 Morville Road, Manchester, M21 0UR

18 Morville Road, Manchester, M21 0UR

34 Morville Road, Manchester, M21 0UR

449 Wilbraham Road, Manchester, M21 0UZ

447 Wilbraham Road, Manchester, M21 0UZ

443 Wilbraham Road, Manchester, M21 0UZ

441 Wilbraham Road, Manchester, M21 0UZ

364 Wilbraham Road, Manchester, M21 0UX

362 Wilbraham Road, Manchester, M21 0UX

356 Wilbraham Road, Manchester, M21 0UX

336 Wilbraham Road, Manchester, M21 0UX

334 Wilbraham Road, Manchester, M21 0UX

330 Wilbraham Road, Manchester, M21 0UX

185 Brantingham Road, Manchester, M21 0TT

427 Wilbraham Road, Manchester, M21 0UT

425 Wilbraham Road, Manchester, M21 0UT

423 Wilbraham Road, Manchester, M21 0UT

40 Morville Road, Manchester, M21 0UR

4 Morville Road, Manchester, M21 0UR

30 Morville Road, Manchester, M21 0UR

28 Morville Road, Manchester, M21 0UR

26 Morville Road, Manchester, M21 0UR

24 Morville Road, Manchester, M21 0UR

22 Morville Road, Manchester, M21 0UR

16 Morville Road, Manchester, M21 0UR

14 Morville Road, Manchester, M21 0UR

215 Brantingham Road, Manchester, M21 0TT

213 Brantingham Road, Manchester, M21 0TT

209 Brantingham Road, Manchester, M21 0TT

207 Brantingham Road, Manchester, M21 0TT

203 Brantingham Road, Manchester, M21 0TT

201 Brantingham Road, Manchester, M21 0TT

199 Brantingham Road, Manchester, M21 0TT

12 Morville Road, Manchester, M21 0UR

10 Morville Road, Manchester, M21 0UR

197 Brantingham Road, Manchester, M21 0TT

195 Brantingham Road, Manchester, M21 0TT

193 Brantingham Road, Manchester, M21 0TT

191 Brantingham Road, Manchester, M21 0TT

189 Brantingham Road, Manchester, M21 0TT

38 Morville Road, Manchester, M21 0UR

36 Morville Road, Manchester, M21 0UR

20 Morville Road, Manchester, M21 0UR

2 Morville Road, Manchester, M21 0UR

Appendix 2 – Planning constraints