

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137432/AOH/2023

Date registered valid: 29 June 2023

Proposal: Installation of freestanding, double sided, internally illuminated sign showing sequential images to replace existing signs

Address: Advertising Station Adjacent To Griffin Hotel, Cheetham Hill Road, Manchester, M8 9HD

Ward(s): Cheetham Ward

Applicant: Mr Martin Stephens, JCDecaux UK

Agent (if any):

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 October 2023

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 13 July 2023

Standard consultations:

Printed: 7 July 2023 Expired: 28 July 2023

Neighbour notifications

Printed: 7 July 2023 Expired: 28 July 2023

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: No

Tree Preservation Order: No

This application relates to land on the southwest side of Cheetham Hill Road, south of the Heath Street junction. The land is a roughly rectangular plot owned by the applicant JCDecaux. The site is an established advertising location and comprises three illuminated landscape display panels visible to drivers on Cheetham Hill Road, one of the main transport corridors for the northern approach to the city. This is also a resubmission of an application made in June 2022 under LPA Ref 134079/AOH/2022, which was withdrawn on the 11th. August 2022. The earlier scheme proposed two units on the site that would have necessitated the removal of several mature trees. This current proposal is for a single freestanding unit and thus avoids the earlier proposed tree works.

Proposal

This proposal seeks consent to rationalise the existing extent of advertising at the site from three panels to one unit and by reducing the area of advertising display from 72m² to 18m². The single proposed panel will remain the same 48 sheet landscape displays as on site now; however it will be a freestanding unit affixed to a cantilevered structure

Site History

137432/AOH/2023 Installation of freestanding, double sided, internally illuminated sign
Withdrawn.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and no representations were received.

The Highways Team were consulted and recommended the following condition be attached to the consent;

- (a) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs.
- (b) No individual advertisements shall be displayed for duration of less than 10 seconds.
- (c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel.
- (d) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.
- (e) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.
- (f) The maximum luminance level of the advertisements displayed on the panel shall not exceed 300 cd/m² during non daylight hours / inclement weather
Or for signs less than 10m²
- (f) The maximum luminance level of the advertisements displayed on the panel should not exceed 600 cd/m² during non-daylight/ inclement weather.

Issues

Town and Country Planning (Control of Advertisements) Regulations 2007 - States that:

- (1) 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.

National Planning Policy Framework (2023) - Sets out the Government's Planning Policies for England and how these should be applied. It states that the purpose of the planning system is

to contribute to the achievement of sustainable development. It states that achieving sustainable development means that the planning system has 3 overarching objectives:

An economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

A social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective - to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy

It states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term, but over the lifetime of the development;
- b) are visibly attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this (paragraph 126).

Paragraph 136 states that 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.

The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-

- Creating well designed places that enhance or create character
- Making a positive contribution to the health, safety and wellbeing of residents
- Considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy EN1 relates to Design Principles and Strategic Character Areas. It states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed

guidance may be given within a supplementary planning document:-

- Appropriate 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.

- Existing or proposed hazardous installation.

UNITARY DEVELOPMENT PLAN

The site is unallocated within the Manchester City Councils Unitary Development Plan Development Plan (adopted 1995). However the general policy for advertisement hoardings is Saved policy DC15.

DC15.1 The Advertisement Regulations require that applications for advertisements be considered only in the interests of amenity and public safety. In determining such applications, for free standing hoardings and wall mounted posters the council will take account of the following matters in assessing these interests:

- a) the general location of the proposed development and the effect on visual amenity
- b) the scope for posters and hoardings to make a positive contribution to the locality
- c) the design of the structures, and the relationship with any premises on which they are located
- d) the effect of the proposal on permanent redevelopment of the land
- e) public safety resulting from the positioning of the design of the display
- f) the ease with which the structure is capable of being satisfactorily maintained
- g) the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent
- h) the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development
- i) the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities
- j) the number of advertisements in the locality and their cumulative effect on visual amenity

DC15.2 In assessing the interests of amenity and safety the council will take account of the following criteria:

- a) developments of this kind should not harm the character of architectural features of a building, nor interfere with its proper use
- b) they should be in scale with the locality and relate properly to the site on which they stand
- c) they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value
- d) a proposal which would be injurious to public safety or adversely effect the flow of traffic, by reason of its position, size or design will not be permitted

DC15.3 Where having regard to the preceding policies, the council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect safety and amenity.

Saved policy E3.3 relates to sites along radial routes, which includes Cheetham Hill Road and seeks to ensure that all new development, along these routes, is of the highest quality.

Principle - It is the case that there are 2 x 48 sheets and 1 x 96 sheet free-standing advertisements on site, with the displays facing northwards and southwards, which benefits from deemed advertisement consent. A replacement pair of back-to-back single sided 48 sheet LED digital signs, in the same location, as the extant permission are therefore considered to be acceptable in principle.

Visual amenity - The current application would effectively replace the existing pair of back to back single sided existing internally illuminated free-standing 48 sheet advertisements on site with a pair of back to back single sided 48 sheet digital display, advertisements with the

emphasis of the signage remaining horizontal. The overall display area would be similar to the existing signage and would be no nearer to Cheetham Hill Road, than the existing signage.

Cheetham Hill Road is an important, and busy, radial route to/from Manchester City Centre and the context of the sign, in relation to Cheetham Hill Road, is therefore a key consideration.

In this case, each of the signs is single sided only and is set adjacent to The Griffin Hotel, with a deep grassed verge adjacent to Cheetham Hill Road. Compared to the existing, and currently approved displays, the only change is the increase in height, of the poles on which the displays are mounted. It is not considered that these changes would significantly alter the visual impact of the sign and can be accommodated, without any harmful impact on the visual amenity of the locality and this radial route.

Highways issues and function of the proposed signage - Highway Services have confirmed that the siting of the proposed signage is acceptable, in highway and operational terms, subject to their point about luminance levels, which has been satisfactorily clarified by the applicant. This is subject to a condition in relation to the control of matters such as luminance and the frequency of the changing displays.

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) 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:

The Application Form, The Supporting Information by JC Decaux ref A02277 Part one and Part Two, stamped as received on the 29 June 2023 and Traffic Information by JC Decaux Ref A02277, received electronically on the 17 August 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) (a) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs.

(b) No individual advertisements shall be displayed for duration of less than 10 seconds.

(c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel.

(d) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.

(e) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.

(f) The maximum luminance level of the advertisements displayed on the panel shall not exceed 300 cd/m² during non-daylight hours / inclement weather

Or for signs less than 10m²

(f) The maximum luminance level of the advertisements displayed on the panel should not exceed 600 cd/m² during non-daylight/ inclement weather.

Reason- In the interest of visual amenity, and pedestrian and highway safety within the vicinity of the site Pursuant to saved policy DC15 and DM1 and TM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Flat 2, 450A Cheetham Hill Road, Manchester, M8 9LE
Flat 1, 450A Cheetham Hill Road, Manchester, M8 9LE
Former 434 And 436, Cheetham Hill Road, Manchester, M8 9LE
Flat At, 448 Cheetham Hill Road, Manchester, M8 9LE
Basement Flat, Cheetham Hill Road, Manchester, M8 9LE
Community Centre Junction Heath Street, Cheetham Hill Road, Manchester, M8 7ZZ
450A Cheetham Hill Road, Manchester, M8 9LE
Northwards Housing, 547 - 549 Cheetham Hill Road, Manchester, M8 9NW
446A Cheetham Hill Road, Manchester, M8 9LE
7 Broomfield Drive, Manchester, M8 9EE
515 Cheetham Hill Road, Manchester, M8 9HD
438 Cheetham Hill Road, Manchester, M8 9LE
Ground Floor, 515 Cheetham Hill Road, Manchester, M8 9HD
76 Broomfield Drive, Manchester, M8 9EE
80 Broomfield Drive, Manchester, M8 9EE
78 Broomfield Drive, Manchester, M8 9EE
5 Broomfield Drive, Manchester, M8 9EE
74 Broomfield Drive, Manchester, M8 9EE
72 Broomfield Drive, Manchester, M8 9EE
70 Broomfield Drive, Manchester, M8 9EE
3 Broomfield Drive, Manchester, M8 9EE
438 - 440 Cheetham Hill Road, Manchester, M8 9LE
452 Cheetham Hill Road, Manchester, M8 9LE
448 Cheetham Hill Road, Manchester, M8 9LE
450 Cheetham Hill Road, Manchester, M8 9LE

Appendix 2 – Planning constraints

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
Area Team Boundary - Name: NORTH AREA