

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137161/AO/2023
Date registered valid: 2 June 2023
Proposal: Erection of hoarding.
Address: Versa Studios, 18 Lower Byrom Street, Manchester, M3 4AP
Ward(s): Deansgate Ward

Applicant: The Ents Inc
Agent (if any): LSL Solicitors
Case officer: David Brettell
Tel: 0161 234 4556
Email: dave.brettell@manchester.gov.uk

Recommendation:
Date of recommendation:

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 7 June 2023 Expired: 28 June 2023

Neighbour notifications

Printed: 7 June 2023 Expired: 28 June 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: Grade II

Conservation area: Castlefield Conservation Area 1979

Tree Preservation Order:

Description of area

The application site is within the St Johns Regeneration Strategy area, with nearby newly constructed commercial uses, Breeze Gardens and MoSI. The proposed adverts front Lower Byrom Street. The building to which the proposed adverts relate is known as Versa Studios, a former TV recording studio. The adverts relate to a proposed use involving the racing of electric Go-Karts.

Description of development

It is proposed to attach non-illuminated advert hoardings onto existing fencing, at Lower Byrom Street.

The existing mesh fencing is 11.4m long and 2.3m high, divided into six panels, the end two of which would display the logo 'Chaos Karts'.

Consultations & Notification Responses

Site Notice, Press Notice, Neighbours – No comments received.
Environmental Health – No objections.
Highway Service – No objections

Issues

The proposed hoardings are considered appropriate in this commercial area within St Johns. The adverts are required in relation to the new proposed use of Versa Studios, and do not raise any issues related to Highway Safety, or visual amenity. The proposal also accords with planning policy.

As such, the application is recommended for approval

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:

Approved plans

Location Plan showing site edged red submitted 2nd June 2023

Existing Elevation, submitted 15th June 2023

Ground Floor Plan, submitted 2nd June 2023

Email from agent, dated 7th August 2023, including structure, dimensions, sizes and location of proposed signage and hoarding

Documents

Planning Statement, submitted 2nd June 2023

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Policy DM1 (Development Management) of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Museum Of Science And Industry, Liverpool Road, Manchester, M3 4JP
15 Atherton Street, Manchester, M3 3GS
6 Rozel Square, Manchester, M3 4FQ
26 Rozel Square, Manchester, M3 4FQ
10 Rozel Square, Manchester, M3 4FQ
8 Rozel Square, Manchester, M3 4FQ
4 Rozel Square, Manchester, M3 4FQ
36 Rozel Square, Manchester, M3 4FQ
34 Rozel Square, Manchester, M3 4FQ
32 Rozel Square, Manchester, M3 4FQ
30 Rozel Square, Manchester, M3 4FQ
28 Rozel Square, Manchester, M3 4FQ
24 Rozel Square, Manchester, M3 4FQ
22 Rozel Square, Manchester, M3 4FQ
20 Rozel Square, Manchester, M3 4FQ
2 Rozel Square, Manchester, M3 4FQ
18 Rozel Square, Manchester, M3 4FQ
16 Rozel Square, Manchester, M3 4FQ
14 Rozel Square, Manchester, M3 4FQ
12 Rozel Square, Manchester, M3 4FQ

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 - Castlefield Conservation Area 1979
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL