MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137582/AOH/2023
Date registered valid:	17 July 2023
Proposal:	Installation of a 6m by 3m digital advertisement hoarding following removal of existing hoarding
Address:	Land At 166/170 Wilmslow Road, Manchester, M14 5LG
Ward(s):	Moss Side Ward
Applicant:	Wildstone Estates Limited
Agent (if any):	Alder King Planning Consultants
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**04/09/2023**

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 16/08/2023

Standard consultations:

Manchester City Council Highway Services - Printed: 3 August 2023 Expired: 24 August 2023

Neighbour notifications

Printed: 3 August 2023 Expired: 24 August 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

The proposal is related to a parcel of land adjacent to Wilmslow Road. The land currently features 1no digital advertising hoarding and 1no traditional hoarding (to be replaced as part of the proposal). The parcel of land is owned by Wildstone Estates Limited.

Listed building: Not applicable

Conservation area: Not applicable

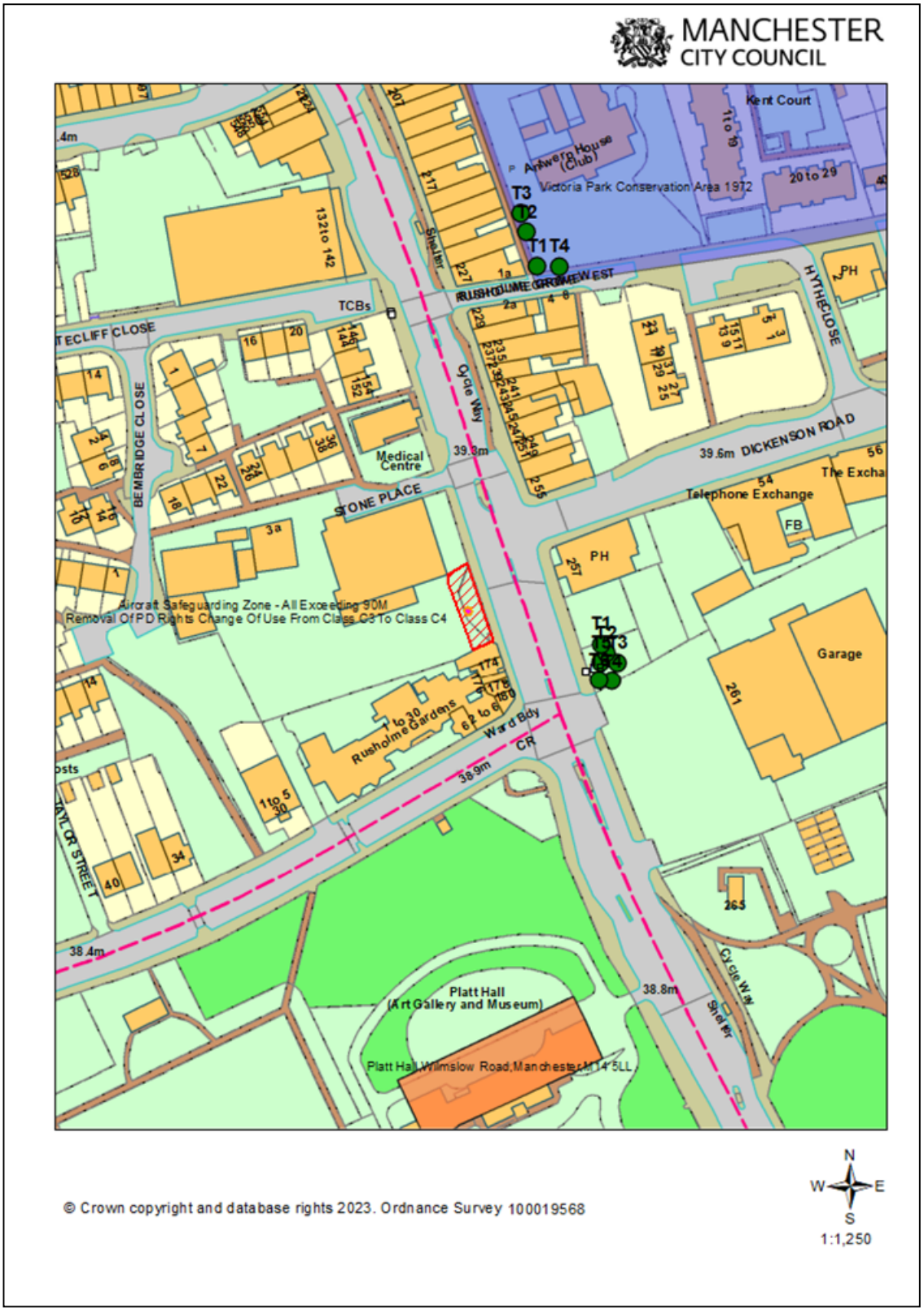
Tree Preservation Order: Not applicable

Figure 1. Street Scene

Figure 2. View from traffic signals

Description of area

The proposal is in a mixed commercial/residential area within the Rusholme District Centre in the Moss Side ward of Manchester.



Description of development

The applicant proposes an installation of a 6m by 3m digital advertisement hoarding following removal of existing hoarding.

The proposal removes an existing poster and paste advertising hoarding with digital hoarding.

Figure 3. Existing and proposed plans

Planning History

110502/AOH/2015/S1

Description: Installation of 3.3 metre high, internally-illuminated, digital LED advertisement hoarding to replace existing

Decision: 30/12/2015

Consultations & Notification Responses

Consultations

Manchester City Council Highways Services

Manchester City Council Highways Service were consulted on this application. They asked for a photomontage of the proposal.

The applicant provided a photomontage.

Figure 4. Photomontage provided by applicant.

The submitted information confirms that the signage will not interfere with the view of the signals.

The proposed luminance of the sign is noted as 300cd/m2. This is within the MCC recommended maximum of 600cd/m2, therefore we accept the proposed luminance.

Notifications

Local Residents

As per Appendix 1, Occupiers of properties surrounding the application site were notified of the proposal.

No comments, objections, or representations in respect of this application was received.

Policies & Principle

Summary of relevant policy

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

The following policies are considered relevant in the consideration of this application.

- The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 and is the key document in the Manchester Local Plan. It sets the out the long-term strategic policies for Manchester's future development and forms the framework that planning applications are assessed against. The following Core Strategy Policies are considered relevant to this proposal:
    - DM 1 - Development Management
    - SP 1 - Spatial Principles
    - C 2 – District Centres
    - C 5 – Central Manchester District Centres - Hulme, Longsight and Rusholme
    - EN 1 - Design Principles and Strategic Character Areas
    - EN 8 – Adaptation to Climate Change
    - EN 14 – Flood Risk
    - EN 16 - Air Quality
    - EN 18 - Contaminated Land and Ground Stability
    - EN 19 - Waste

- Extant Unitary Development Plan Policies (UDP) - The Core Strategy replaced much of the UDP, but some UDP Development Control policies are extant (remain). The following extant policy are still considered relevant to this proposal.
    - DC15 - Advertisements, Hoardings and Posters.
    - DC26 - Development and Noise
- The National Planning Policy Framework (The NPPF) - The National Planning Policy Framework (NPPF) was first published on 27 March 2012 and updated on 24 July 2018, 19 February 2019, and 20 July 2021. This sets out the government's planning policies for England and how these are expected to be applied. The following sections are considered relevant to this proposal:
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places
- Town and Country Planning (Control of Advertisements) Regulation 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 - Powers to be exercised in the interests of amenity and public safety

Principle of development

In this instance the principle of the proposal is considered acceptable, and it is not believed that there are any factors of sufficient weight in amenity terms that would warrant refusal of the application.

On balance, the proposed development is deemed to accord with all relevant policy of the Manchester Core Strategy, Extant UDP and the NPPF as assessed in the following sections of this report.

The Manchester Core Strategy Development Plan (2012-2027)

The proposal has been assessed against the following policies of the Core Strategy:

DM 1 – Development Management

All new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The proposal has been assessed against the following issues:

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

The applicant is seeking the installation of a 6m by 3m digital advertisement hoarding following removal of existing hoarding.

The proposed hoarding is a direct replacement for a 'poster and paste' board and matches an existing digital hoarding on the same parcel of land.

The proposal uses brick and tile to match the materials of the existing property (as stated in the application form).

Overall, it is considered that the proposed development has appropriate siting, layout, scale, form, massing, materials, and detail and is therefore in accordance with the development management principle.

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 area is predominantly commercial with 2no existing hoardings (1no digital previously approved in 2015)

Visual impacts in connection with the proposed development are not considered to have any significant impacts to the character of the area, and therefore the appearance is acceptable.

On balance, the proposal is considered comparable in terms of size and its position to others found in the immediate area, therefore it is felt that the proposal can be accommodated at the application site and is considered that the proposal would not interfere with the existing characteristics of the area.

Overall, it is considered that the proposed development has minimal impact on the surrounding areas in terms of the design, scale, and appearance and is therefore in accordance 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 in of itself has a negligible effect on local noise levels. It is recognised that demolition and/or construction works are often noisy and obtrusive to the local residential amenity. Contractors are expected to follow best practice to minimise the temporary effect on residents referring to construction guidance on controlling emissions.

The proposal has minimal effect on road safety as indicated in the response from Highway Services and traffic generation and is therefore in accordance with this development management principle.

On balance the proposal has minimal effect on privacy, local light, noise, vibration, air quality, odours, litter, vermin, and birds and is therefore in accordance this development management principle.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal does not alter the existing access to the premises or create an unnecessary barrier to access and egress.

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

Refuse storage and collection.

The proposal in of itself has a no effect on waste from the site.

It is recognised that demolition and/or construction works often generate commercial waste. Contractors are expected to follow best practice of waste management.

The proposal is in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

The proposal does not sit in a conservation area or near a 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 proposal would have a negligible impact on green infrastructure, with an acceptable balance between the proposed development and retention of the existing green space achieved.

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 does not sit in a flood risk area and therefore no flood statement or assessment was required.

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

The 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’.

This proposal is considered to accord with the principles of this policy.

C 2 – District Centres

This policy outlines the strategy for development within district centres. Development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services.

This proposal is considered to accord with the principles of this policy.

C 5 – Central Manchester District Centres - Hulme, Longsight and Rusholme

This policy outlines the strategy for development within district centres in Central Manchester.

This proposal is considered to accord with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines key design principles for development in Manchester most notably that all development in Manchester will be expected to follow the seven principles of urban Design.

This proposal sits within the ‘Central Arc Character Area’.

This proposal is considered to accord with the principles of this policy.

EN 8 – Adaption to Climate Change

This policy outlines the key principles of how all new development will be expected to be adaptable to climate change.

The development is considered to accord with the aspirations of this policy.

EN 14 – Flood Risk

This policy outlines the key principles around Flood Risk Management in the city.

The proposal does not sit in a flood risk area.

This proposal is considered to accord with the principles of this policy.

EN 16 – Air Quality

This policy sets out the key principles of air quality management in the city. The policy seeks to improve the air quality within Manchester, and particularly within Air Quality Management Areas, located along Manchester's principal traffic routes and at Manchester Airport.

The proposed development would not give rise to air quality issues when the development is operational.

This proposal is considered to accord with the principles of this policy.

EN 18 - Contaminated Land and Ground Stability

Policy EN 18 of the Core Strategy set out the principle of development on contaminated land or unstable land.

No ground contamination, groundwater contamination and/or ground gas relevant to the site or ground stability issues have been identified.

This proposal is considered to accord with the principles of this policy.

Extant Unitary Development Policies (UDP)

The Core Strategy replaced much of the UDP, but some UDP policies are extant (remain) and are relevant to this proposal.

Policy DC15 - Advertisements, Hoardings and Posters

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

Policy DC26 - Development and Noise

This policy outlines the key issues to reduce the impact of noise on people living and working in, or visiting, the City.

This proposal is considered to accord with the principles of this policy.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework sets out the government's planning policies for England and how these are expected to be applied.

The NPPF has been adhered to and considered at all stages of the application.

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.

This proposal is considered to accord with the principles of these policies.

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)

Relevant policy and guidance have been considered within Policy DM 1 of the Core Strategy.

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

The proposal is considered acceptable in this location, in terms of design, scale and massing, without unduly detrimentally affecting the amenities of the occupiers of surrounding properties,

or the character and appearance of the surrounding street scene, and there are no material considerations of sufficient weight to indicate otherwise. For the above reasons, the proposal is unlikely to have any detrimental impact and therefore accords with the relevant Core Strategy, Extant UDP, NPPF policies and other material considerations.

Recommendation: Approval

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Minor issues have arisen during the consideration of this application and the officer negotiated with the applicant and consultees to reach a satisfactory resolution.

Condition(s) to be attached to decision for approval

1. Specified plans

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

a. *Drawing - Location Plan 17 Jul 2023 01*
b. *Drawing - Site Plan 17 Jul 2023 02*
c. *Drawing - Site Plan 17 Jul 2023 03*
d. *Drawing - Existing & Proposed 17 Jul 2023 04*

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.

2. Advertisement mandatory consent period

a. The express advertisement consent hereby granted is limited to a period of 5 years starting on the date of the commencement of the display of the advertisement hoarding(s).

b. Written notice shall be given to the Council of the date of commencement of the display of the advertisement hoarding(s) within 7 working days of that commencement.
c. On the date of the expiry of the express consent period in (a) above the advertisement hoarding(s) and all associated development shall be removed, any use of the land authorised by this consent shall be discontinued, and the land/building shall be reinstated in accordance with a scheme previously approved.

Reason - To enable the City Council to consider the acceptability of the continuance of the display of the advertisement hoarding(s) at the site on the expiry of the period of express consent, having regard to visual amenity and changing circumstances in the locality in order to comply with saved policies DC15 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Manchester Core Strategy (2012).

3. Advertisement mandatory condition

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.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM1 of the Manchester Core Strategy (2012)

4. Advertisement display requirements

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
g. The maximum luminance level of the advertisements displayed on the panel shall not exceed 600 cd/m2 during daylight hours.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM1 of the Manchester Core Strategy (2012)

Appendix 1 – List of consultees & neighbours notified

Highway Services

178 - 180 Wilmslow Road, Manchester, M14 5LQ

174 Wilmslow Road, Manchester, M14 5LQ

172 Wilmslow Road, Manchester, M14 5LQ

Flat At, Hardys Well, 257 Wilmslow Road, Manchester, M14 5LN

Hardys Well, 257 Wilmslow Road, Manchester, M14 5LN

Flat Above, 251 Wilmslow Road, Manchester, M14 5LW

249 - 251 Wilmslow Road, Manchester, M14 5LW

255 Wilmslow Road, Manchester, M14 5LW

253 Wilmslow Road, Manchester, M14 5LW

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 Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: SOUTH AREA