

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136498/AO/2023

Date registered valid: 24 May 2023

Proposal: 2no. face lit illuminated letters on framework mounted to existing posts, 2no. face lit 'T' logos mounted to cladded façade, 1no. illuminated totem sign at site entrance, 6no. banner flags and 24no. authorized vehicle signs fixed to vehicle charging posts/wall mounted.

Address: Mercedes Benz , Rowsley Street, Manchester, M11 3RR

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Matthew Finnegan

Agent (if any): Mr Olivia Robinson Fresh Design International

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30/06/2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 25 May 2023 Expired: 15 June 2023

Neighbour notifications

Printed: 25 May 2023 Expired: 15 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

The application relates to the two storey former Mercedes-Benz car dealership site off of Rowsley Street. The application property features a flat roof with prominent overhang and is completed in glazed panels and metal cladding. The property is set back from Ashton New Road and Rowsley Street, with a service car park comprising the southern and eastern portions of the application site. The site as existing is unoccupied and does not feature any advertisements but has previously been home to fascia, flag and totem advertisements. The application site is subject to a live planning permission for the use of the property as a car servicing centre with ancillary offices (Approved under application 136667/LP/2023).

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The neighbouring area to the north and east of the application site is visually dominated by the Etihad Campus, comprised of the Etihad Stadium and smaller ancillary buildings, including the Manchester City Shop, Manchester Regional Arena and National Squash Centre. To the west of the application lies an active rail line, with properties in industrial and commercial use beyond it. To the south of the application site lies Ashton New Road, an arterial road that provides vehicular access to the City Centre, with properties in residential use lying beyond it.

Description of development

The application seeks advertisement consent for the installation of 2no face lit logo advertisements, 2no face lit fascia letter signs, 1no illuminated totem sign, 6no banner flags and 24no authorised vehicle signs.

The proposed face lit logo signs would both have a height of 3.005m, a width of 3.004m and a depth of 0.3m. The proposed letter signs would display the word "Tesla" and have a height of 0.6m, a width of 6.607m and a depth 0.075m. Said signs would then be arranged so that one of each sign would be displayed on the property's southern facing elevation facing out onto Ashton New Road and then its eastern facing elevation facing out onto Rowsley Street. All 4no signs would be finished in aluminium with white acrylic and have a luminance level of 600cd/m².

The proposed totem sign would be located in the eastern corner of the site fronting out onto the junction where Rowsley Street meets Ashton New Road. Said sign would then have a height of 3.05m, a width of 1.35m, a depth of 0.3m and would have a luminance level of 600cd/m².

The banner signs would be separated into two groups of 3no flags located either side of the site entrance off of Ashton New Road. The poles that would support the 0.85m wide by 2.75m flags would have a height of 5.57m.

18no of the proposed authorised vehicle signs would then be displayed on mounted charging posts, with a further 6no signs then displayed on the property's northern facing side elevation.

It is acknowledged that the proposed plans depict a vinyl sign that would be displayed behind the property's glass on its eastern facing front elevation. As said sign would not require permission it will not be assessed within this report.

Planning History

A number of applications are on record for the application site, the most relevant of which is shown below:

136667/LP/2023 - Use of property and site as a car servicing centre and car showroom with ancillary offices (sui generis) – Approved June 2023.

116034/AO/2017 - Installation of 4.2 metre high, static, internally illuminated totem sign and internally illuminated fascia sign to replace existing fascia sign – Approved June 2017.

099218/AO/2012/N2 - Erection of 2.8 metre high freestanding advertisement sign – Approved June 2012.

110306/AO/2015/N2 - Installation of various non illuminated and internally illuminated totem signs, flagpoles and fascia signs to forecourt – Approved December 2015.

102621/AO/2013/N2 - Display of one internally illuminated double sided 8.1 metre totem sign and one internally illuminated double sided 3.1 metre totem sign – Approved July 2013.

Consultations & Notification Responses

Cadent Gas – No objection subject to an informative relating to neighbouring gas pipeline infrastructure.

Highway Services – No objection.

Environmental Health – No objection.

Transport For Greater Manchester – No objection.

Network Rail – No objection.

Publicity – None received.

Policy

Town and Country Planning (Control of Advertisements) Regulations 2007

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.

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester - For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC14 – Shop Fronts and Related Signs
- Policy DC15 – Advertisements, Hoardings and Posters

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving Well-Designed Places

National Planning Practice Guidance (NPPG)

- Advertisements

Issues

Visual Amenity

The proposal would see the installation of 4no fascia signs on the southern and eastern elevations of the application property. It is considered that at maximum height of 3.005m and a maximum depth of 0.3m, the proposed signs are larger and would have noticeable thickness to them that would appear as incongruous on most buildings. Notwithstanding this, the application property features largely blank elevations capable of accommodating large signage, furthermore, said signs would be set back approximately 30m from the public highway, which would significantly lessen their impact on the street scene and allow them to be seen in the wider context of the application site.

Likewise, the proposed totem sign is also considered to be large, with it having a notable width of 1.35m. Said sign however, would be significantly smaller than previous totem signs approved on site under planning applications 116034/AO/2017 and 102621/AO/2013/N2, which saw a totem with a maximum height of 8.1m approved on site. Taking this into account, the proposed signage would have a significantly lesser impact on the street scene, with its reduced height meaning that the totem sign would be seen in the context of the application site rather than the wider street scene. This being unlike the previous 8.1m high totem sign on site that due to its significant height was seen in the wider street scene, functioning as a notable incongruous landmark.

The proposed banner flags, whilst tall, have been approved on site previously and their proposed placement would mean the site's landscaping would not be obscured. The proposed authorised vehicle signs are considered to be of such a scale where their impact on the street scene would be negligible. On this basis the proposal would have an acceptable impact on local visual amenity and thus complies with Core Strategy Policies SP1, EN1 and DM1, Saved Unitary Development Plan Policies DC14 and DC15, the NPPF and NPPG.

Highway Safety

The proposed advertisements would be set back from the public highway within the confines of the application site. Amended plans have been received which lowered the proposed luminance levels of all proposed advertisements to 600cd/m². On this basis Highways have no objection to the proposal. As such, it is considered the proposal would have an acceptable impact on highway safety in accordance with Core Strategy Policies SP1 and DM1, Saved Unitary Development Plan Policies DC14 and DC15 and NPPG.

Other Matters

An LP Mains gas pipeline surrounds the application site. Cadent Gas do not object to the proposal but have requested that in the event of an approval an informative is attached notifying the applicant of their obligations during the construction phase of the development.

Conclusion

In light of the above, the proposal is considered to be acceptable in respect of both design and highway safety and is thus in accordance with Manchester Core Strategy Policies SP1, EN1 and DM1, Saved Unitary Development Plan Policies DC14 and DC15, the National Planning Policy Framework and National Planning Practice Guidance. The application is therefore 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

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:

- o PL-1.01 Rev A: Proposed Site Plan (Dated 15/06/2023; Received 15/06/2023)

- o PL-1.01B: Site Details (Dated 14/03/2023; Received 29/06/2023)
- o PL-3.01 Rev A: Proposed External Elevations (Dated 15/06/2023; Received 15/06/2023)
- o PL-4.0 Rev A: Signage Sections (Dated 15/06/2023; Received 15/06/2023)

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) The maximum luminance of signage shall not exceed 600 cd/m in brightness at any time.

Reason - In the interests of visual and residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC14.1, and E3.3 of the Unitary Development Plan for the City of Manchester.

Informatives

1) Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Transport For Greater Manchester
Network Rail

First Floor Offices, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Mess Room, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Unit 4, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Unit 3, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Unit 2, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Unit 1, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Office 2, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Office 1, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Excel House, City Of Manchester Stadium, Ashton New Road, Manchester, M11 3FF
A & G GARAGES LIMITED, Unit 4, 26 Edwin Road, Manchester, M11 3ER
P & L INDUSTRIAL EQUIPMENT LTD, Unit 3, 26 Edwin Road, Manchester, M11 3ER
Classic Football Shirts Ltd, Edwin House, Edwin Road, Manchester, M11 3ER
Instrumatics Ltd, Edwin Road, Manchester, M11 3ER
I C A Panels, Edwin Road, Manchester, M11 3ER
Connect Engineering, Thomas Brown House, 10 Edwin Road, Manchester, M11 3ER
Regional Athletics Arena, Rowsley Street, Manchester, M11 3FF
10 Fairisle Close, Manchester, M11 3JJ
78 Orme Close, Manchester, M11 3JY
70 Orme Close, Manchester, M11 3JY
64 Orme Close, Manchester, M11 3JY
26 Edwin Road, Manchester, M11 3ER
15 Fairisle Close, Manchester, M11 3JJ
13 Fairisle Close, Manchester, M11 3JJ
11 Fairisle Close, Manchester, M11 3JJ
9 Fairisle Close, Manchester, M11 3JJ
73 Orme Close, Manchester, M11 3JX
71 Orme Close, Manchester, M11 3JX
69 Orme Close, Manchester, M11 3JX
67 Orme Close, Manchester, M11 3JX
17 Viking Close, Manchester, M11 3JF
16 Viking Close, Manchester, M11 3JF
15 Viking Close, Manchester, M11 3JF
14 Viking Close, Manchester, M11 3JF
12 Viking Close, Manchester, M11 3JF
80 Orme Close, Manchester, M11 3JY
76 Orme Close, Manchester, M11 3JY
74 Orme Close, Manchester, M11 3JY
72 Orme Close, Manchester, M11 3JY
68 Orme Close, Manchester, M11 3JY
66 Orme Close, Manchester, M11 3JY
62 Orme Close, Manchester, M11 3JY

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 High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL