

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136151/AOH/2023
Date registered valid: 3 February 2023
Proposal: Installation of a digital advertising display
Address: 99 Albert Road, Manchester, M19 2FU
Ward(s): Burnage Ward

Applicant: Wildstone Estates Limited
Agent (if any): Miss Nilufa Yasmin Carter Jonas
Case officer: Steven McCoombe
Tel: 0161 234 4607
Email: steven.mccoombe@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 30 March 2023

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 29 March 2023

Standard consultations:

Printed: 27 February 2023 Expired: 20 March 2023

Neighbour notifications

Printed: 27 February 2023 Expired: 20 March 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 and surroundings

The application site relates to the gable wall of a two storey, end terraced dwellinghouse at 99 Albert Road, situated at the corner with Ross Avenue – a short cul-de-sac.



View from Albert Road

The host gable wall faces in a south westerly direction and already incorporates an externally illuminated paper and paste billboard sign. Above the sign is a narrow, full height window to the roof-space with an associated externally balcony/fire escape.

The existing sign has never been subject to an application for advertisement consent, but due to the passage of time, benefits from deemed consent.

The site adjoins a surface level parking area which wraps around the rear of the building and a cluster of two storey buildings accommodating Beech House Bowling and Social Club and a small business premises.

Ross Avenue which forms the access route to these buildings also includes a terrace of three dwellinghouses. Beyond the site to the west is a bowling green associated with Beech House.

The immediate area is principally residential in character, comprising properties of various architectural styles, ranging from 1-3 storey in height. Immediately opposite the site to the north, is small, single storey church (The Church of God in Manchester).

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of development

Advertisement consent is sought for the installation of a single, internally illuminated digital display sign to replace an existing, traditional 48 sheet, externally illuminated sign which occupies the same position.

The existing and proposed sign measures 6 metres (w) x 3 metres (h) (with the proposed sign being 0.06 metres in depth), and is situated between ground and first floor levels, with the base located 3.4 metres from ground level.

The wall mounted sign is proposed to display multiple, static, sequential advertisements unrelated to the application site on rotation. The signage is capable of displaying 6 advertisement campaigns simultaneously, sequencing every 10 seconds. Luminescence is proposed to be no greater than 300cd/m² during the hours of darkness. During the daylight hours the luminance is proposed to be controlled by sensors and/or timers to reflect ambient light conditions.

Consultations & Notification Responses

Local Residents/Occupiers – No representations received.

Highway Services - The proposed digital advertising display is contained within the private boundary of the site.

The proposed digital advertising display is not located on and will not project over the adopted highway network. As such, a Projection over License will not be required.

The illumination level for the static digital advertising display is proposed as 300cdm².

This level of luminance is acceptable to Highways as it is within the MCC luminance level maximum of 600cd/m.

The digital advertising display complies with headroom and carriageway clearance requirements.

It is recommended that the following planning condition should be applied to any approval in relation to any moving images, animation of video.

Policy

Part 1 of the Town and Country Planning (Control of Advertisements) Regulations 2007 refers to powers to be exercised in the interests of amenity and public safety and states that a Local Planning Authority shall exercise its power under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material and any other relevant factors.

Factors relevant to amenity include, the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Factors relevant to public safety include the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military), 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 or hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Local Development Framework

The principal document within the framework is the Manchester Core Strategy which sets out the spatial vision for the City and includes strategic policies for development during the period 2012 – 2027.

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

The following policies within the Core Strategy are considered relevant:

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents, consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Unitary Development Plan for the City of Manchester, 1995 (Saved Policies)

The below saved policies of the Unitary Development Plan are also considered relevant.

Policy DC15 relates to advertisement hoardings and posters. The main matters to be considered in the context of this application are:

- The general location of the proposed advertisements and the effect of visual amenity;
- The number of advertisements in the locality and their cumulative effect on visual amenity.

Policy E3.3 refers to the Council looking to upgrade the appearance of the city's major radial routes.

National Planning Policy Framework

The central theme to the NPPF is to achieve sustainable development. The Government states that there are three dimensions to sustainable development: an economic role, a social role and an environmental role.

Section 12 'Achieving well-designed places' refers to the need for good design.

Paragraph 134 states that *'permission should be refused for development of poor design.*

Paragraph 136 states further *'that the quality and character of places can suffer when advertisements are poorly sited and designed'.*

Issues

The main issue in this case, is the effect of the proposed advertisement upon visual amenity.

Visual Amenity

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), the National Planning Policy Framework (the Framework) and the national Planning Practice Guidance (PPG) require that decisions on advertisements be made only in the interests of amenity and public safety.

This is reflected in development plan policy in the form of saved policy DC15 of the UDP and policies DM1 and SP1 of the Manchester Core Strategy which seek to guide the general location of advertisements, with close regard to the impact upon visual amenity and the character of an area. Saved policy E3.3 more explicitly seeks to protect the appearance of the city's radial routes. These policies form important material considerations in the determination of advertisement applications.

Paragraph 136 of the NPPF advises that *'the quality and character of places can suffer when advertisements are poorly sited and designed'.*

Taking account of the above policy and guidance, it is considered that due to the design, size and position of the proposed sign, coupled with its means of illumination and method of display, that the proposed sign would have a significantly harmful impact upon the character of the area at the gateway to a principally residential neighbourhood.

The City Council aspires to create high quality development which improves the appearance of the area. It is believed that in this instance, the proposed sign would conflict with this objective and present a visually intrusive feature in the area.

The proposed advertisement would, as a result of its digital screen, illumination and changing content, inevitably draw the eye to a much greater degree than the existing sign and would dominate the immediate area due to its elevated position and siting upon a prominent gable. The prominence of the site is increased due to the open nature of the area to west, formed by the adjoining car park and bowling green. This allows for relatively far-reaching views from the west when viewed from the traffic-controlled junction at Albert Road/Slade Lane.



View looking eastwards from the Slade Lane junction

Whilst the height and display of the replacement signage would replicate the existing static externally illuminated 48 sheet advertisement display, it is considered that the nature of the display involving digital and changeable images would give rise to significant change, thereby adversely affect the character of the street-scene.

It is maintained that the proposed sign is materially different to that of the existing sign due to the digital features proposed, the sequencing of advertisements and level of illumination. This would significantly attract attention to the advertisement display accentuating its visual presence in the area. The advertising unit would particularly stand out as a discordant feature in the hours of darkness, due to its highly visible location.

The application site is situated within an area largely residential in character. The proposed sign would aid the commercialisation of the area, undermining this residential context and the visual amenity of nearby residing occupiers.

In light of the above, it is considered that on balance, the proposed sign, in contrast to the existing installation would have an appreciable, negative impact on its surroundings and would be harmful to visual amenity. The Council seeks to improve the environmental quality of its street frontages and the proposed sign would conflict with this objective.

Public Safety

It is not considered that the proposal raises any public safety concerns. No objections from relevant consultees have been received in this regard.

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: Refuse

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed advertisement display by reason of its size, location, design, appearance, elevated position, means of illumination and method of display, would create an unduly intrusive and over-dominant feature in the street-scene, out of context with a principally residential location. The proposed advertisement would therefore have a harmful impact to visual amenity, contrary to saved policies DC15 and E3.3 of the Unitary Development Plan for the City of Manchester, policies DM1 and EN1 of the Manchester Core Strategy, The Town and Country Planning (Control of Advertisements) Regulations 2007 and the National Planning Policy Framework (NPPF).

Appendix 1 – List of consultees & neighbours notified

Highway Services

Levenshulme Cricket And Lawn Tennis Club, Slade Lane, Manchester, M13 0QE
1 Ross Avenue, Manchester, M19 2HW
97 Albert Road, Manchester, M19 2FU
82 Albert Road, Manchester, M19 2AD
Flat Above, Royal British Legion, Ross Avenue, Manchester, M19 2HW
LITTLE SPORTS COACHING LTD, Unit C, Ross Avenue, Manchester, M19 2HW
Unit A, Ross Avenue, Manchester, M19 2FU
Unit D, Ross Avenue, Manchester, M19 2FU
Beech House Bowling And Social Club, Ross Avenue, Manchester, M19 2HW
Flat 1, 90 Albert Road, Manchester, M19 2AD
209 Slade Lane, Manchester, M19 2AE
Flat 2, 90 Albert Road, Manchester, M19 2AD
3 Ross Avenue, Manchester, M19 2HW
Flat 4, 90 Albert Road, Manchester, M19 2AD
Flat 3, 90 Albert Road, Manchester, M19 2AD
90A Albert Road, Manchester, M19 2AD
5 Ross Avenue, Manchester, M19 2HW
Unit B, Ross Avenue, Manchester, M19 2FU

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 - Surface Coal Resources - Name: Coal bearing strata at surface
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: SOUTH AREA