

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136343/AOH/2023

Date registered valid: 24 February 2023

Proposal: Relocation of existing traffic bus shelter with internally illuminated double-sided advertisement unit approximately 20 metres northwards to a distance approximately 70 metres from the junction of Errwood Road and Crossley Road

Address: Approximately 70M From The Northwest Junction Of, Errwood Road And Crossley Road, Manchester, M19 1XS

Ward(s): Burnage Ward

Applicant: Mr Thomas Johnston, JCDecaux UK

Agent (if any):

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 April 2023

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 14 March 2023

Standard consultations: Printed: 8 March 2023 Expired: 29 March 2023

Neighbour notifications: Printed: 8 March 2023 Expired: 29 March 2023

Site notice: Posted: 14 March 2023 Expired: 4 April 2023

Press advert: Published: 14 March 2023 Expired: 4 April 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a recently relocated traffic bus shelter located approximately 70m north of the junction where Errwood Road and Crossley Road meet in the Burnage ward of Manchester. The site itself is located between Levenshulme High School, The Energy Box and Cringle Park.



Figure 1. North-facing view of the recently relocated traffic bus shelter.

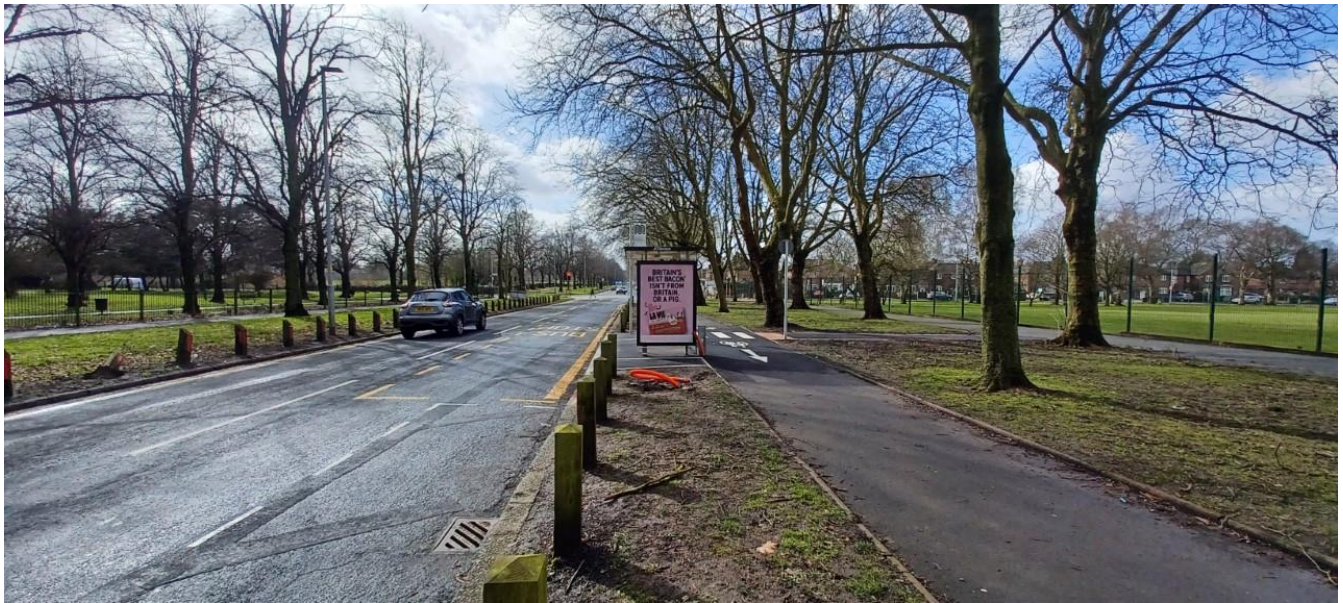


Figure 2. South-facing view of the recently relocated traffic bus shelter.

Description of development

The applicant is seeking advertisement consent for an internally illuminated double-sided advertisement unit which would be displayed on the recently relocated traffic bus shelter located approximately 70m north of the Errwood and Crossley Road junction.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

MCC Highways made the following comments in relation to the application:

- MCC Highways have no objection to the relocation of the bus stop.
- Details have been confirmed with TfGM and the bus stop shelters team.
- The proposed signage luminance level is 600cd/m which complies with MCC requirements and is acceptable to Highways.
- Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email [-highwaylicences@manchester.gov.uk](mailto:highwaylicences@manchester.gov.uk). *This feedback was relayed to the applicant.*

Cadent Gas had no objection to the proposal, however requested that an informative condition be attached to the decision notice.

Policies

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

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC14 – Shop front and related signs
- Policy DC15 – Advertisements, hoardings, and posters

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 DM1 – Development Management
- Policy SP1 – Spatial Principles

The National Planning Policy Framework (NPPF, 2021)

- Chapter 7 – Ensuring the Vitality of Town Centres
- Chapter 12 – Achieving Well-Designed Places

For reasons to be outlined below, it is considered that the proposal accords with the principles of these policy documents.

Issues

Principle – the principle of erecting one internally illuminated double-sided advertisement unit in association with the recent relocation of an existing traffic bus shelter so as to exhibit a variety of commercial advertisements is acceptable, however consideration must be given to the proposal’s impact upon existing levels of visual amenity and public safety.

Visual amenity – the advertisement unit would be located away from residential property, situated adjacent to Errwood Road on the northern edge of the recently relocated traffic bus shelter.

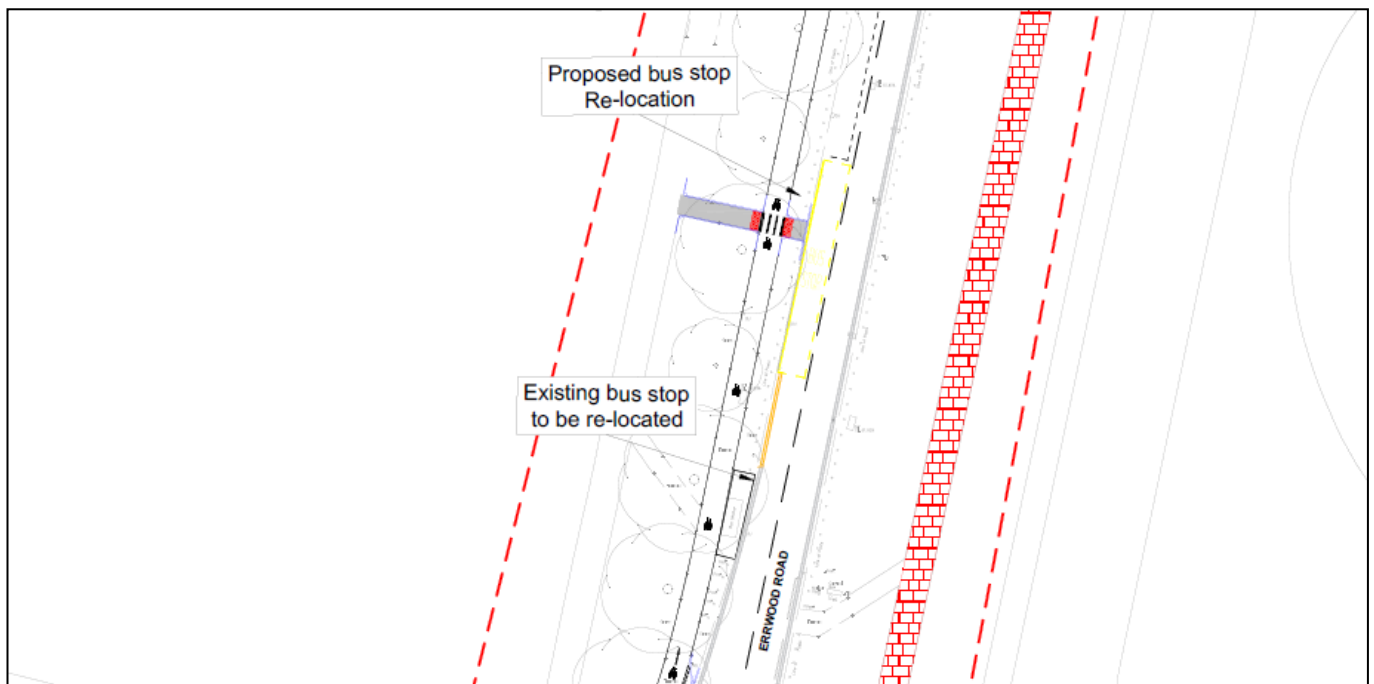


Figure 3. Excerpt from the 'Levenshulme Active Streets General Arrangement', depicting the proposed location of the advertisement unit, as submitted by the applicant.



Figure 4. Proposed design of the traffic bus shelter with advertisement unit visible, as submitted by the applicant.

The proposed unit will be made of a mixture of steel, aluminium and toughened glass and will be securely fixed / incorporated into the existing traffic bus shelter structure. The dimensions of the unit will be 1.895m in height, 1.065m in width and 0.225m in depth and its base will be sited 0.4m above ground level. The advertisement will be internally illuminated, with static illuminance levels of 600cd/m².

Considering the characteristics of the advert, the proposal is not considered to harm the visual or aural amenity of the area as it is standard in terms of its design and scale, is in an acceptable position in regard to its distance and relationship with Errwood Road and would be sited away from residential property. The proposed advert is therefore considered to be well-designed and will have minimal detrimental impact upon the street scene and visual amenity.

Public safety – the internally illuminated double-sided advertisement unit will have an illuminance level of 600cd/m², which accords with Highways' guidance. Therefore, it is considered that the proposal will not harm public safety in and around the site.

Conclusion - given the above issues, it is considered that the advert is acceptable in terms of both visual amenity and public safety in accordance with policies SP1 and DM1 of the Core Strategy, saved policy DC15 of the UDP and chapters 7 and 12 of the NPPF.

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 maximum luminance level of the advertisements hereby approved shall not exceed 600cd/m².

Reason - In the interests of pedestrian/highway safety and residential amenity enjoyed within the vicinity of the site, pursuant to policy DM1 of the Manchester Core Strategy.

3) The development hereby approved shall be carried out in accordance with the documents labelled:

- 'Levenshulme Active Streets General Arrangement', stamped as received by the City Council as Local Planning Authority on the 24th February 2023.

- 'Traffic Design Passenger Shelter', stamped as received by the City Council as Local Planning Authority on the 24th February 2023.

- 'Manchester Advertised Bus Shelter Relocation Pavement adj Errwood Road, Manchester M19 1XS SITE MAPS AND VISUALS', stamped as received by the City Council as Local Planning Authority on the 24th February 2023.

Reason - To ensure the development is carried out in accordance with the approved plans and documents, pursuant to Policies SP1 and DM1 of the Core Strategy.

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.

2) Detail should be sought from the applicant in relation to any proposed construction or fitout arrangements, where there is an impact on the highway. The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

52 Crossley Road, Manchester, M19 1XS

76 Errwood Road, Manchester, M19 1HR

74 Errwood Road, Manchester, M19 1HR

50 Crossley Road, Manchester, M19 1XS

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

Area Team Boundary - Name: SOUTH AREA