

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 135967/AO/2023  
**Date registered valid:** 16 January 2023  
**Proposal:** Installation of 1 no. internally illuminated letters & logo sign  
**Address:** Schmitz Cargobull, Southmoor Industrial Estate, Southmoor Road,  
Manchester, M23 9XD  
**Ward(s):** Brooklands Ward  
  
**Applicant:** Mr Paul Avery, Schmitz Cargobull  
**Agent (if any):** Mr Peter Tilbey, Tara Signs Ltd  
**Case officer:** Holly Wright  
Tel: 0161 219 6381  
Email: [holly.wright@manchester.gov.uk](mailto:holly.wright@manchester.gov.uk)  
  
**Recommendation:** Approve  
**Date of recommendation:** 07 March 2023

## **Application details**

**Type of application:** Advertisement Consent

**Development type:** Advertisements

**Date of site visit:** 10 February 2023

**Standard consultations:** Printed: 30 January 2023    Expired: 20 February 2023

**Neighbour notifications:** Printed: 30 January 2023    Expired: 20 February 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/area**

**Listed building:** Not applicable

**Conservation area:** Not applicable

**Tree Preservation Order:** Not applicable

The application relates to Schmitz Cargobull, an industrial building / warehouse located in Southmoor Industrial Estate situated within the Brooklands ward of Manchester. The site is bound to the east by Southmoor Road and is situated in close proximity to Baguley Metrolink station, JD Gyms Wythenshawe and the railway line. The area is predominantly characterised by business and commercial facilities with residential properties surrounding the boundaries of the industrial estate.



*Figure 1. Proposed site of development.*

## **Description of development**

The applicant is seeking permission for the installation of one internally illuminated letter and logo sign.

## **Recent Planning History**

067572/FU/SOUTH2/03 - Change of use from Class B2 (Industrial) to Class B8 (Distribution) – **APPROVED** (18.09.2003)

119187/FO/2018 - Re-cladding of the industrial warehouse unit and installation of roller shutter doors – **APPROVED** (24.04.2018)

119798/AO/2018 - Part A - Erection of two 4-metre-high totem signs and  
Part B - three 3-metre-high marketing boards to be displayed at the entrance of the Industrial Estate – **APPROVED** (09.07.2018)

122345/FO/2019 - Re-cladding of the industrial warehouse unit – **APPROVED** (27.03.2019)

131249/FO/2021 - Use of the site for Class B2/B8/E(g)(ii) and (iii) purposes, namely general industrial/storage or distribution/research and development of products or processes/industrial processes – **APPROVED** (24.01.2022)

## **Consultations & Notification Responses**

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

Highways made the following comments:

- The proposed fascia sign is not located on the adopted highway network.
- The proposed fascia sign will not extend over the adopted highway and therefore will not require a projection over license.
- The proposed luminance of the static sign is noted as 300cd/m<sup>2</sup>, which is in line with the MCC recommended maximum of 600cd/m<sup>2</sup> and is acceptable to Highways.
- The fascia sign complies with headroom and carriageway clearance requirements.

## **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
- Policy EN1 – Design Principles and Strategic Character Areas

The National Planning Policy Framework (NPPF, 2021)

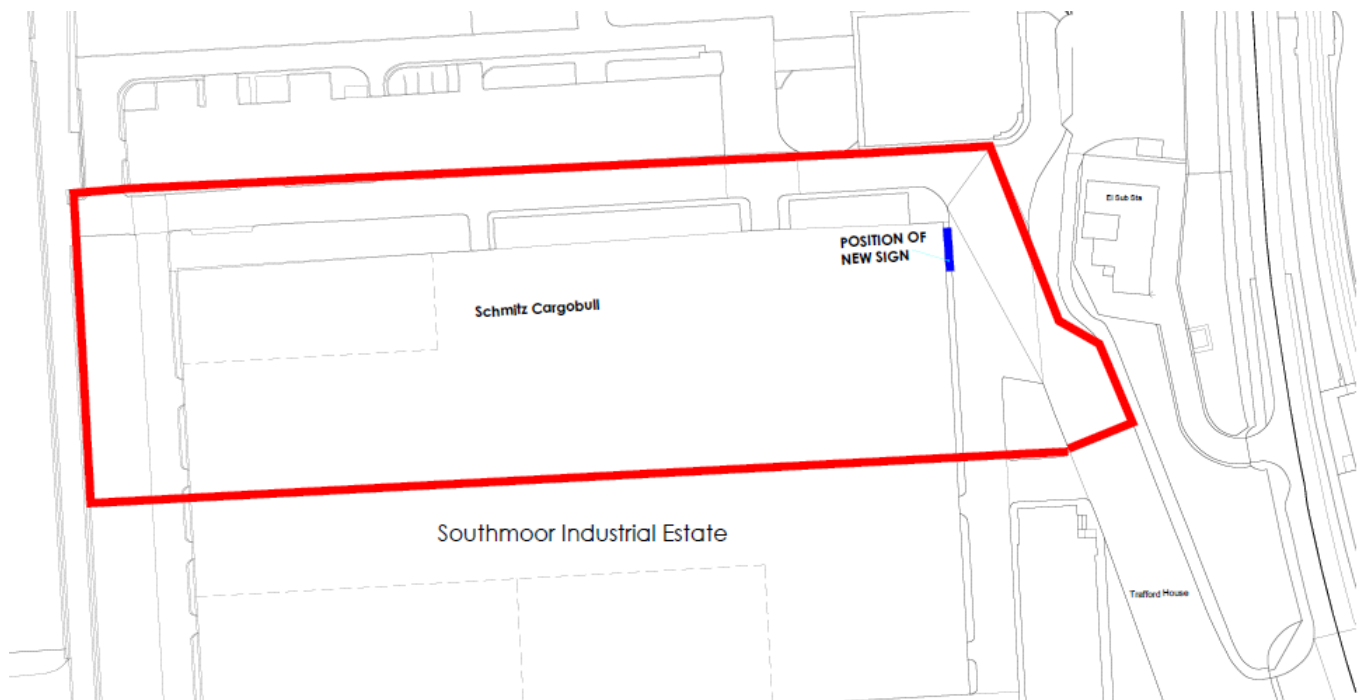
- Chapter 7 – Ensuring the Vitality of Town Centres
- Chapter 12 – Achieving Well-Designed Places

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 letter and logo sign to advertise and denote the name of a business is acceptable, however consideration must be given to the proposal’s impact upon existing levels of visual amenity and public safety.

**Visual amenity** – the signage will be situated adjacent to Southmoor Road within the grounds of Southmoor Industrial Estate.



*Figure 2. Plan of the site, indicating the proposed location of the new signage, as submitted by the applicant’s agent.*





## **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 300cd/m<sup>2</sup>.

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 drawings labelled:

- 'Schmitz Con 08 Letters', stamped as received by the City Council as Local Planning Authority on the 6th February 2023.

- 'Schmitz 09 Planning Rev A', stamped as received by the City Council as Local Planning Authority on the 6th February 2023.

- 'Schmitz 09 Block Plan', stamped as received by the City Council as Local Planning Authority on the 16th January 2023.

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

## **Appendix 1 – List of consultees & neighbours notified**

### Highway Services

Yard 2, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Yard 1, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Unit B2, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Unit B1, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Unit B, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Roundthorn Industrial Estate, Greeba Road, Manchester, M23 4NW  
Headon Productions, Timpson Road, Manchester, M23 9LL  
Unit A9, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Unit A8, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Unit A7, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9XD  
Aim Engineering, Units A3 And A4, Southmoor Industrial Estate, Timpson Road, Manchester, M23 9XD  
Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9LR  
Ground Floor, Southmoor House, Southmoor Road, Manchester, M23 9LR  
Second Floor, Southmoor House, Southmoor Road, Manchester, M23 9LR  
Third Floor, Southmoor House, Southmoor Road, Manchester, M23 9LR  
Car Spaces, Trafford House, Southmoor Road, Manchester, M23 9XD  
Trafford House, Southmoor Road, Manchester, M23 9XD  
LB Europe Ltd, Units A5 And A6, Southmoor Industrial Estate, Southmoor Road, Manchester, M23 9LR  
Units 1 To 3, Millbrook Industrial Estate, Floats Road, Manchester, M23 9WT  
Arriva North West, Greeba Road, Manchester, M23 9ET  
Millbrook Industrial Estate, Shady Lane, Manchester, M23 9WT  
Unit 7, Millbrook Industrial Estate, Shady Lane, Manchester, M23 9WT  
Millbrook Industrial Estate, Floats Road, Manchester, M23 9WT  
Unit 6, Millbrook Industrial Estate, Floats Road, Manchester, M23 9WT  
Unit 5, Millbrook Industrial Estate, Shady Lane, Manchester, M23 9WT  
Unit 4, Millbrook Industrial Estate, Shady Lane, Manchester, M23 9WT

## **Appendix 2 – Planning constraints**

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4  
Article 4 Direction - Wythenshawe PD Restriction - Class B1(a) To C3  
Article 4 Direction - Wythenshawe PD Restriction - Class B1(c) To C3  
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M  
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Less) -  
Susceptible to Surf Water Flood (Middle) -  
Susceptible to Surf Water Flood (Middle) -  
Area Team Boundary - Name: SOUTH AREA