

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135984/AOH/2023

Date registered valid: 17 January 2023

Proposal: Replacement of existing 48 sheet advertisement display, with illuminated digital display, digital poster panel

Address: 1184 Rochdale Road, Manchester, M9 6ER

Ward(s): Charlestown Ward

Applicant: Mr Matt Swindles, Global

Agent (if any):

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 13 March 2023

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 10 February 2023

Standard consultations:

Printed: 31 January 2023 Expired: 21 February 2023

Neighbour notifications

Printed: 31 January 2023 Expired: 21 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to 1184 Rochdale Road within the Charlestown ward of north Manchester. The application site relates to the gable end of 1184 Rochdale Road which faces onto the busy junction of Victoria Avenue East, Victoria Avenue and Rochdale Road. To the north of the site sits The Avenue Library and Learning Centre and Tesco Superstore, to the east of the site sits Victoria Avenue East, and to the south and west of the site sits low rise residential properties.

The site currently consists of an existing 48 sheet hoarding poster panel with illumination from above.

Description of development

This application seeks advertisement consent for the replacement of existing 48 sheet advertisement display, with illuminated digital display. The 48 sheet would have dimensions of Height: 3.4 x Width: 6.2 x Depth: 0.15 metres, would have a maximum projection of the advertisement from the face of the building of 0.15 metres and would be made of a LED screen. The poster would be internally illuminated (static) with an illuminance level of 300 cd/m2.

Planning history

085439/VO/2007/N1- 1140-1184 Rochdale Road And 2 Victoria Avenue East- CITY COUNCIL DEVELOPMENT Elevational refurbishment of premises, together with improvement works to forecourt and pavement areas, including installation of bollards and litterbins.
Approved 10 March 2008.

081639/AOH/2006/N1- 1184 Rochdale Road- Advertisement consent for illumination of existing 48 sheet hoarding on gable end of 1184 Rochdale Road.
Approved 16 February 2007.

Consultations & Notification Responses

Local residents

Local residents were consulted and no responses were received.

Environmental Health

Environmental Health were consulted and asked for the following to be placed on any approval granted:

Advertising Screens

- 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.

The submitted information includes proposed conditions consistent with the above.

Highway Services

Highway Services provided the following comments:

The proposed digital advertisement 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 location of the digital advertisement display is not considered to generate any adverse impact for vehicles travelling along Rochdale Road and Victoria Avenue East.

The proposed luminance of the static digital advertisement display is noted as 300cd/m², this is considered to be in line with the MCC 600cd/m² maximum and is acceptable.

The proposed digital advertisement display complies with headroom and carriageway

clearance requirements.

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)

It is recommended that the following planning condition should be applied:-

Condition

- (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.
- Or for signs less than 10m²
- (f) The maximum luminance level of the advertisements displayed on the panel should not exceed 600 cd/m² during non-daylight/ inclement weather.

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. National Planning Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 12- Achieving well-designed places:

Paragraph 126 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. It further states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 136 states that the quality and character of places can suffer when advertisements are poorly sited and designed. It acknowledges that a separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective.

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:

(1)

- (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 regulations state the factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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 effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1(Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: creating well designed places that enhance or create character, making a positive contribution to the health, safety and wellbeing of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC15 Advertisements, Hoardings and Posters

DC15.1 The Advertisement Regulations require that applications for advertisements be considered only in the interests of amenity and public safety. In determining applications for free standing hoardings and wall mounted posters the Council will take account of the following matters in assessing these interests:

- a. the general location of the proposed development and the effect on visual amenity;
- b. the scope for posters and hoardings to make a positive contribution to the locality;
- c. the design of the structures, and the relationship with any premises on which they are located;
- d. the effect of the proposal on permanent redevelopment of the land;
- e. public safety resulting from the positioning of the design of the display;
- f. the ease with which the structure is capable of being satisfactorily maintained;
- g. the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
- h. the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development;
- i. the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
- j. the number of advertisements in the locality and their cumulative effect on visual amenity.

DC15.2 In assessing the interests of amenity and safety the Council will take account of the following criteria:

- a. developments of this kind should not harm the character or architectural features of a building, nor interfere with its proper use;
- b. they should be in scale with the locality and relate properly to the site on which they stand;
- c. they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;
- d. a proposal which would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size, or design will not be permitted.

DC15.3 Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect safety and amenity.

Policy E3.3 The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

ISSUES

According to the NPPF (Chapter 12) the main issues for consideration relate to the impact of the proposals on visual amenity and public safety.

Principle of Development

The above requirements have been taken into account in the assessment of the advertisement consent application. Whilst it is considered that the application cannot be refused on the basis of public safety, the proposal, in the view of the Local Planning Authority, fails to accord with its development plan as it is unacceptable in terms of visual impact and excessive prominence within the street scene.

Visual Amenity

The proposal would be sited on the gable end of residential property 1184 Rochdale Road and would be sited close to the junction of Victoria Avenue East, Rochdale Road and Victoria Avenue. Due to the location sited close to the large junction and the elevated position of the sign, the proposal would be highly visible.

In this case, it is considered that the proposal would be harmful to the visual amenities of the area and the character of the built environment. The proposed signage would not be viewed contextually with the other commercial signage in the area, which do not include any level of illumination and include individual letters than a large single advertisement structure (for illustration see signs of Tesco Superstore and The Avenue Library & Learning Centre).

The proposed advertisement signage would impact upon the immediate street scene and would be visible from adjacent busy roads. Particular consideration has been given to the prominent high level position of the sign adjacent to a key radial route through the city and the additional prominence of the signage due to illumination, which would materially affect the character of the streetscene. Given the height and size of the illuminated display, it is considered that its elevated position means that it would have a long range of visibility along Rochdale Road and to some degree Victoria Avenue East and Victoria Avenue. It is also considered that the signage and its operation would be harmful to the visual amenity of pedestrians and drivers travelling along the adjoining routes.

For the reasons outlined, the principle of the proposed advertisement display is therefore considered to be unacceptable.

Public safety

Highway Services have confirmed the siting of the proposed signage is acceptable, in highway and operational terms. However, it is not considered these operational arrangements would overcome concerns regarding the harmful impact of the proposed signage on visual amenity.

Conclusion

The proposed digital display by reason of its location, size, appearance, elevated position and means of illumination, would create an intrusive, over-dominant feature in the street-scene along Rochdale Road and Victoria Avenue East, affecting main radial routes. The proposed display would thereby appear out of context within its location. The proposal would therefore have an unacceptable and detrimental impact on the visual amenity of the area and surrounding occupiers, contrary to Government Guidance contained in the National Planning Policy Framework, policies EN1, SP1 and DM1 of the Manchester Core Strategy and saved policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.

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

Article 35 Declaration

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

- 1) The proposed digital display by reason of its location, size, appearance, elevated position and means of illumination, would create an intrusive, over-dominant feature in the street-scene along Rochdale Road and Victoria Avenue East, affecting main radial routes. The proposed display would thereby appear out of context within its location. The proposal would therefore have an unacceptable and detrimental impact on the visual amenity of the area and surrounding occupiers, contrary to Government Guidance contained in the National Planning Policy Framework, policies EN1, SP1 and DM1 of the Manchester Core Strategy and saved policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

1182 Rochdale Road, Manchester, M9 6ER
The Avenue Library And Learning Centre, Victoria Avenue East, Manchester, M9 6HW
1178 Rochdale Road, Manchester, M9 6ER
Top Flat, 1176 Rochdale Road, Manchester, M9 6ER
1 - 5 Victoria Avenue, Blackley, Manchester, M9 6RA
4 Victoria Avenue East, Manchester, M9 6HB
1176 Rochdale Road, Manchester, M9 6ER
2 Victoria Avenue East, Manchester, M9 6HB
1180 Rochdale Road, Manchester, M9 6ER
1174 Rochdale Road, Manchester, M9 6ER

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 - Not Affected
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 -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA