

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135760/AO/2022
Date registered valid: 15 December 2022
Proposal: Installation of 7 metre high, internally illuminated sign
Address: Texaco Service Station, 55 St Marys Road, Manchester, M40 3AR
Ward(s): Miles Platting & Newton Heath Ward

Applicant: Motor Fuel Group
Agent (if any): Miss Natasha Strydom, MBH Design Studio Ltd
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 30 January 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 10 10 2022

Standard consultations:

Printed: 6 January 2023 Expired: 27 January 2023

Neighbour notifications

Printed: 6 January 2023 Expired: 27 January 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 Site/Area

The application site relates to an existing petrol filling station at 55 St. Marys Road located in the Newton Heath area of North Manchester. Immediately to the south and west of the application site is a train maintenance depot and there is no residential uses within the immediate surroundings. There are no dwellings or other buildings directly adjacent to the application site.

Description of Development

Installation of 7 metre high, internally illuminated sign

Consultations & Notification Responses

The occupiers of the surrounding buildings were consulted and no representations were received.

The Highways Team were consulted and commented the proposed sign is not located on the adopted highway network.

The proposed sign does not extend over the adopted highway. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 300 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

The proposed signs comply with carriageway clearance and headroom clearance requirements and are therefore compliant with MCC recommendations.

Environmental Health were consulted and commented, the application stating that Illuminance levels will be 300 cd/m, they have no comments regarding the application.

Network Rail were consulted and raised no objection to the proposal.

Issues

Policy

The primary legislation relates to the Town and Country Planning (Control of Advertisements) Regulations 2007. This is supplemented by policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy, as well as guidance contained within the National Planning Policy Framework (NPPF).

Paragraph 136 of the NPPF explains that poorly sited and designed advertisements can affect the quality and character of places. Advertisements should therefore be "operated in a way which is simple, efficient and effective." In line with the provisions of the Advertisement Regulations, it confirms that advertisements should be subject to control only in the interests of 'amenity' and 'public' safety, considering cumulative impacts.

Visual Amenity and Public Safety

The proposed sign represent a modern, relatively un-intrusive design, which will be located within the setting of an existing petrol filling station

It is believed that due to the position, design and means of illumination of the proposed signage, coupled with the commercial context of the backdrop, there would not be any significant undue impact upon either visual amenity or public safety - the only relevant considerations for such proposals.

Whilst the signage will be visible from a distance outside the bounds of the site, it is not believed they would result in a strident or intrusive impact to visual amenity and would blend into the design and colouration of the proposed building and the emerging commercial backdrop.

No issues are raised from a public safety perspective.

Given the above, it is considered that the proposal accords with Town and Country Planning (Control of Advertisements) Regulations 2007, as well as the relevant, aforementioned Development Plan policy and guidance.

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

Article 35 Declaration

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:

MFG TOT 5M TOP PAN, MFG TOT 5M TL BOT PAN, MFG 5M TL MID PAN, MFG TOT 7M TL, stamped as 15 December 2022 and 13664-P12-080, stamped as received on the 23 December 2022 and 13664-P12-080, stamped as received on the 15 December 2022.

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Network Rail

24 Williams Road, Moston, Manchester, M40 0AP

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
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA