

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135311/AOH/2022

Date registered valid: 28 October 2022

Proposal: Removal of existing 1no. 48 sheet and 1no. 96 sheet advertising billboard and replacement of 1no. 48 sheet and 1no. 96 sheet digital advertisement hoardings to display static advertisements on rotation.

Address: 619-627 Rochdale Road, Manchester,

Ward(s): Harpurhey Ward

Applicant: Wildstone Estates Limited 1 Bartholomew Lane, London, EC2N 2AX

Agent (if any): Miss Liz Slater Barton Willmore, now Stantec 7 Soho Square, London, W1D 3QE

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 16/12/2022

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 8 November 2022 Expired: 29 November 2022

Neighbour notifications

Printed: 8 November 2022 Expired: 29 November 2022

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: Not applicable

Tree Preservation Order: Not applicable

Description of area & site

The area relates to the junction of Rochdale Road and the A6010 in an area known as Smedley. The area is mixed in character with commercial, residential and educational buildings. The application site is at a key junction on a gateway route into and out of Manchester city centre and experiences high levels of motor and pedestrian traffic for much of the day. There are three digital billboards already in the vicinity.

The site relates to a small section of grass, shrubbery and trees adjacent to two residential properties on the western side of Rochdale Road. The residences are sited on a central reservation in the middle of the A6010 running westwards. The grass section is on the north side of the two residences and currently houses 1 no.48 sheet billboard and 1 no.96 sheet billboard. The larger of the two faces on to Rochdale Road with a school and wooded central reservation with it line of site. The smaller faces on to the A6010 with a row of residential properties directly across the road. The site falls within the Eggington Street and Smedley Dip regeneration area, which is a key priority for the council and the city.

Description of development

The development relates to the replacement of the two existing static sheet advertising boards with two new digital sheet advertising boards. The proposed digital boards will be of the same dimensions as the existing non-digital boards. The smaller board will move backwards slightly to be closer to the larger board but remain at the same orientation. The new boards will display static digital advertisements on a rotation.

Consultations & Notification Responses

Highways – concerns raised regarding public safety due to additional driver distractions potentially created by the new digital billboards. Information submitted not sufficient to demonstrate that there would not be a public safety issue with the signs.

Environment health – no concerns provided certain conditions imposed.

Neighbours - Occupiers of properties surrounding the application site were notified of the proposal. No representations have been received.

Policy and legislative context

Town and Country Planning (Control of Advertisements) Regulations 2007

Powers to be exercised in the interests of amenity and public safety

3.—(1) The Local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

- (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.

Manchester Core Strategy (2012)

The following Core Strategy policies are considered relevant to this application:

Policy DM1 (Development Management) states that all development should have regard to

- appropriate siting, layout, scale, form, massing, materials and detail,
- the affects on amenity including light and road safety,
- the impact on the character of the surrounding area in terms of design, scale and appearance,
- vehicular access and car parking
- effects relating to landscape, archaeological or built heritage.

Policy SP1 (Spatial Principles) states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, creating well designed places that enhance or create character, consider the needs of all member of the community and protect and enhance the built environment.

Unitary Development Plan for Manchester (1995)

Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

The following Unitary Development Plan policies are of relevance to this application:

Policies DC15.1 and 15.2 (Advertisements, Hoardings and Posters) state that the City Council will take into account the impact of advertisements on visual amenity and public safety when determining applications for the display of advertisements, including free standing advertisement hoardings.

National Planning Policy Framework

Section 12

Paragraph 136 The quality and character of places can suffer when advertisements are poorly sited and designed. 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. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Issues

Visual amenity

The proposed advertisement displays by reason of their size, appearance, elevated position and means of illumination, would create an intrusive and over-dominant feature in the street scape along a main vehicular route. Digital advertisement posters, which have greater brightness than traditional poster boards as well as sequential content, are more visible and hence have more prominence in the street scape.

Therefore, the replacement of traditional poster boards with digital boards is not considered a like-for-like replacement. The proposed signage would form an incongruous feature within the street scape. Furthermore, the no.48 display, by reason of its siting and orientation, would face habitable windows. This would have a detrimental impact on the amenity of the occupiers of nearby residential dwellings, particularly in the hours of darkness when the illumination from the digital display would be most obtrusive.

The proposed advertisement displays would form an obtrusive feature in the street scene of a highly prominent location. In addition to the location on a major route in and out of Manchester city centre, the proposed development is located within the Northern Gateway SRF (2019) boundary, in the area identified as 'Eggington Street and Smedley Dip'. This is a key priority for the city and Manchester City Council which will see a high level of investment and residential lead regeneration activity in the coming years, resulting in an area of increasingly high amenity value.

In addition, there are three digital boards in close proximity to the development site. The installation of two additional digital boards at this location would contribute significantly to advertisement clutter at the junction, further harming visual amenity.

The proposed development is considered to result in an unduly harmful impact on the visual amenity of the area and would be contrary to the provisions of the Town and Country Planning

(Control of Advertisements) Regulations 2007, in particular Regulation 3 Paragraph 3, Section 12 Paragraph 136 of the NPPF (2012) and DC15 of the UDP for Manchester (1995).

Public safety

The site is adjacent to the junction of two gateway routes in Manchester. The junction is complex and highly trafficked and so consequently requires additional concentration from drivers.

The application has been assessed by Highway Services who have advised that the two new digital boards could create an additional distraction for drivers which would result in a public safety issue.

There is insufficient information submitted with the application to demonstrate otherwise which would be contrary to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, in particular Regulation 3 Paragraph 2b(i), Section 12 Paragraph 136 of the NPPF (2012) and Policy DM1 of the Manchester Core Strategy (2012).

For these reasons, the proposed development is considered unacceptable on the grounds of both visual amenity and public safety. Therefore, it is recommended that permission for the proposed development is refused.

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 installation of a digital advertisement hoarding by virtue of its siting, scale and appearance would result in an obtrusive feature in the street scene together with causing advertisement clutter with other advertisement hoardings in this location. This would have an unduly harmful impact on the visual amenity and character of the local area on an important road route into and out of the city centre. This would be contrary to the provisions

of the TCPA (Control of Advertisements) Regulations 2007, policies SP1 and DM1 of the Manchester Core Strategy (2012), saved policy DC15 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework.

- 2) The installation of a digital advertisement hoarding would create driver distraction at a complex highway junction. There is insufficient information submitted with the application to demonstrate that the hoarding would not increase the risk of accidents along this section of highway. The hoarding would therefore result in an unduly harmful impact on public safety which is contrary to the provisions of the TCPA (Control of Advertisements) Regulations 2007, policies SP1 and DM1 of the Manchester Core Strategy (2012), saved policy DC15 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Neighbourhood Team Leader (Arboriculture)
Transport For Greater Manchester

389 Queens Road, Manchester, M9 5FF
387 Queens Road, Manchester, M9 5FF
383 Queens Road, Manchester, M9 5FF
381 Queens Road, Manchester, M9 5FF
379 Queens Road, Manchester, M9 5FF
375 Queens Road, Manchester, M9 5FF
373 Queens Road, Manchester, M9 5FF
Flat 5, 647 Rochdale Road, Manchester, M9 5SH
Flat 4, 647 Rochdale Road, Manchester, M9 5SH
Flat 3, 647 Rochdale Road, Manchester, M9 5SH
Flat 6, 647 Rochdale Road, Manchester, M9 5SH
Flat 2, 647 Rochdale Road, Manchester, M9 5SH
Flat Above, 615 Rochdale Road, Manchester, M40 7XH
629 Rochdale Road, Manchester, M9 5SH
43 Keyhaven Walk, Manchester, M40 7TR
377 Queens Road, Manchester, M9 5FF
371 Queens Road, Manchester, M9 5FF
Flat 1, 647 Rochdale Road, Manchester, M9 5SH
51 Keyhaven Walk, Manchester, M40 7TR
49 Keyhaven Walk, Manchester, M40 7TR
47 Keyhaven Walk, Manchester, M40 7TR
45 Keyhaven Walk, Manchester, M40 7TR
41 Keyhaven Walk, Manchester, M40 7TR
39 Keyhaven Walk, Manchester, M40 7TR
615 Rochdale Road, Manchester, M40 7XH
2 Reedshaw Road, Manchester, M9 5FY
385 Queens Road, Manchester, M9 5FF
631 Rochdale Road, Manchester, M9 5SH

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
Area Team Boundary - Name: CENTRAL