

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132893/AOH/2022

Date registered valid: 10 February 2022

Proposal: Erection of 2 no. illuminated scaffold mounted banner advertisements for a temporary period of 6 months

Address: 109-127 Market Street, Manchester, M60 1TA

Ward(s): Piccadilly Ward

Applicant: Mark Wilkinson Infinity Outdoor 1st Floor, 44 Charlotte Street, London, W1T 2NR

Agent (if any):

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Temporary approval

Date of recommendation: 27 September 2022

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 18 February 2022 Expired: 11 March 2022

Neighbour notifications

Printed: 18 February 2022 Expired: 11 March 2022

Site notice

Posted: Expired:

Press advert

Published: 22 February 2022 Expired: 15 March 2022

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Grade II

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order:

Description of Site/Area

The application site relates to the Rylands Building which ranges in height from 4 to 7 storeys and is Grade II Listed. The building is located in the south-west corner of the Smithfield Conservation Area, close to the Shudehill and Upper King Street Conservation Areas. The site connects the Retail Core and Market Street, Piccadilly Gardens and the Central Business District with the Northern Quarter.

Planning Permission and Listed Building Consent were granted in 2021 (app refs. 127882/LO/2020 and 127881/FO/2020) for the redevelopment of the building which includes an erection of four storey roof-top extension as well as other external and internal works.

Description of Development

The submitted application seeks advertisement consent for Erection of 2 no. illuminated scaffold mounted banner advertisements for a temporary period of 6 months

Policies

The main issues for consideration relate to the impact of the advertisements on visual amenity and the character and appearance of the listed building and the surrounding Smithfield Conservation Area and on public safety. The main policies that relate to the proposals are Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, policies EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Adopted Core Strategy for the City of

Manchester, paragraphs 2.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Visual amenity

Hoardings of the nature proposed are only generally acceptable if they are associated with legitimate works to a site or building. The rationale being that the temporary banners will give the building a more attractive appearance within the street scene than the scaffolding alone would.

Whilst a contract for the main works is not currently in place the applicant has provided evidence that a scaffolding would be required for intrusive facade survey and that the funds generated from the advertisement will be ring fenced for the redevelopment of the site.

Display of advertisements on scaffolding can cause unnecessary continued use of scaffolding and this has a negative impact on visual amenity as well as affecting pedestrian access including for disabled people. Given the circumstances in this instance it is considered appropriate to grant a 6-month consent initially and any further consents would require a contact for the main works.

The building is located in a ream of high footfall with entrances at the junctions of Market Street with High Street and with Tib Street, and on High Street and Market Street. The building is Grade II was built in 1932 and is significant as one of the last and biggest textile warehouses built in the city. Applications referenced 127882/LO/2020 and 127881/FO/2020 recognised that there is a need to undertake repairs to secure the long-term future and address damage caused by ingress of water, general degradation of materials over a long period in the building. It is considered that given the importance of the building, and that the advert will fund works to secure its long term visible use the proposal is acceptable in this instance.

This would amount to a low level of less than substantial harm for the duration of the temporary period. This harm would be removed upon removal of the signage. The temporary period of less than substantial harm is outweighed by the public benefits derived during that temporary period which would allow the building to be surveyed and the revenue to be generated.

In this context it is therefore considered that the proposed hoarding would relate to legitimate works to the building and would relate properly to the site on which it would stand and that as such on a temporary basis the location of the proposed advertisements and its impact upon visual amenity will be acceptable.

Given the above, the proposals are considered to be in accordance with policies Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, policies EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester, paragraphs 2.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Residential Amenity

Taking into account the neighbour objection to the previous application, the applicant has agreed to limit illumination hours between 7am-11pm only in order to ensure no unacceptable

impacts to neighbouring occupiers. Environmental health are satisfied that these controls would be satisfactory.

Given the above, it is considered that the proposals are acceptable in terms of residential amenity in accordance with policy DC15.2 (Advertisements, hoardings and Posters) of the Unitary Development Plan for the City of Manchester and Policy DM1 (Development Management) of the Core Strategy for the City of Manchester.

Public Safety

No issues have been raised by either Environmental Health or Highways.

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: Temporary approval

Article 35 Declaration

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

1) a) The express advertisement consent hereby granted is for a temporary period and shall expire on 27 March 2023.

b) On the date of the expiry of the express consent period, as defined above (part a), the display of the advertisement hoarding(s) shall be fully removed.

Reason - To enable the City Council to consider the acceptability of the continuance of the display of the advertisement hoarding(s) at the site on the expiry of the period of express consent, having regard to visual amenity and changing circumstances in the locality in order to comply with policies DM1 of the Core Strategy and saved Policy DC15 of the Unitary Development Plan for the City of Manchester.

2) 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.

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

Received by the City Council as Local Planning Authority on 10 February 2022:

- Proposed Site Layout
 - Drawing no. 06 Elevation (Front) - Proposed
 - Drawing no. 07 Elevation (Side) - Proposed
 - Drawing no. 08 Elevation (Side) - Proposed
 - Drawing no. 09 Proposed Section
 - Drawing no. 01 Location Plan
 - LIMiLiFE High Efficiency LED Slimline Floodlights
- Agent email dated 27 February 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 and saved Unitary Development Plan policy DC15.

4) a) External lighting must be designed and installed so as to control glare and overspill of light onto nearby residential properties and in accordance with the approved documents as specified in condition 3.

b) Notwithstanding the approved plans and documents as specified in condition 3 the advertisements shall be implemented and operated in accordance with the following:

- Advertisements shall not be illuminated outside the hours of 7am to 11pm daily;
- The maximum luminance of the advertisements should not exceed 300cd/m² during inclement weather or non-daylight hours; and
- Energy efficient LED lighting shall be used for illumination.

Reason - To safeguard the amenities of the occupiers of nearby properties and promote energy efficient development in accordance with Policies SP1 and DM1 of the City of Manchester Core Strategy and saved Unitary Development Plan policy DC15.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

Ground Floor, 20 - 22 High Street, Manchester, M4 1QB
20 - 22 High Street, Manchester, M4 1QB
Ground Floor And First Floor, 8A Tib Street, Manchester, M4 1PQ
8 High Street, Manchester, M4 1QB
Flat 206, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 802, The Birchin, 1 Joiner Street, Manchester, M4 1PH
13 Tib Street, Manchester, M4 1AD
9 Tib Street, Manchester, M4 1AD
7 Tib Street, Manchester, M4 1AD
1 - 3 Piccadilly, Manchester, M1 1LZ
Halifax, 5 Piccadilly, Manchester, M1 1LZ
9 Bridgewater Place, Manchester, M4 1QF
11 - 23 Bridgewater Place, Manchester, M4 1QF
Fourth Floor, 20 - 22 High Street, Manchester, M4 1QB
Third Floor, 20 - 22 High Street, Manchester, M4 1QB
Flat 701, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 308, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 5, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 801, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 704, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 411, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 306, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 302, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 9, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 7, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 803, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 607, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 506, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 409, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 708, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 707, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 502, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 311, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 211, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 209, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 202, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 111, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 806, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 603, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 407, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 402, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 807, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 602, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 511, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 507, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 406, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 205, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 201, The Birchin, 1 Joiner Street, Manchester, M4 1PH

Flat 6, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 1, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Basement, 20 - 22 High Street, Manchester, M4 1QB
Flat 709, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 104, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 3, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 702, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 401, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 207, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 110, The Birchin, 1 Joiner Street, Manchester, M4 1PH
First Floor, 20 - 22 High Street, Manchester, M4 1QB
Flat 504, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 305, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 804, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 508, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 304, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 109, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 103, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 2, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Second Floor, 20 - 22 High Street, Manchester, M4 1QB
8A Tib Street, Manchester, M4 1PQ
Flat 706, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 601, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 303, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 102, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 808, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 805, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 403, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 609, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 510, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 408, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 307, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 301, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 208, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 204, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 108, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 106, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 105, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 101, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 310, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 107, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 8, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 705, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 608, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 606, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 410, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 309, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 4, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 509, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 501, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 405, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 703, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 604, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 505, The Birchin, 1 Joiner Street, Manchester, M4 1PH

Flat 503, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 404, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 210, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 203, The Birchin, 1 Joiner Street, Manchester, M4 1PH

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Conservation Area - Smithfield Conservation Area 1987

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRL

Area Team Boundary - Name: CENTRL