

| Application Number | Date of Appln | Committee Date | Ward |
|---------------------------|---------------------------|--------------------------|--------------------|
| 118882/FO/2018 | 23 rd Jan 2018 | 8 th Mar 2018 | Didsbury East Ward |

Proposal Installation of LED screen and associated audio equipment

Location Scotscroft Building , Towers Business Park, Wilmslow Road,
Manchester, M20 2RY

Applicant KW Towers Limited, C/o Agent,

Agent Mr Michael Conroy, CBRE, Belvedere, 12 Booth Street, Manchester, M2
4AW,

Description

Scotscroft Building is a three storey office building located at the centre of the Towers Business Park, which is located off Wilmslow Road and within the Didsbury St James Conservation Area. Consisting predominantly of Class B1 office accommodation there is an estate café/coffee shop on the ground floor. The Towers Business Park consists of ten modern office blocks and The Towers, a 19th Century former residence which has been used as offices since the 1920s. The office buildings sit within a maturely landscaped setting that is punctuated with estate roads and associated parking facilities. The Towers is a Grade II* listed building, being listed in 1974. To the west of the Scotscroft Building stands a further two office buildings, namely Ocean House and Adamson House and between them is a central piazza area, planning permission for which was granted in 2013 under ref.

101468/FO/2013/S2. To the west of Ocean House and Adamson House there is a further office building (Spectrum House) and associated parking spaces and beyond that lies Kingston Road, a residential road consisting of, in this location, large semi-detached dwellings.

The applicant is proposing to install an 8m² LED screen on the western elevation of the Scotscroft Building. The bottom of the screen will be located 1.81 metres above the ground floor at the entrance to the building and will measure 2.08 metres high by 3.84 metres wide. Two associated speakers would be located on either side of the LED screen. The Scotscroft Building is shown on the right in the photograph overleaf, with the location of the LED screen annotated by a cross.

The LED screen will overlook the central piazza and will allow occupants of the business park the opportunity to watch television programmes, such as news broadcasts and sporting events.



Consultations

Local Residents – 11 letters of objection have been received, the comments are outlined below:

- The application states that: '*There is intervening development which would screen the proposed LED screen from nearby residential properties. The location of Adamson, Ocean, and Spectrum House buildings means that the LED screen is largely obscured from view. Furthermore, there is considerable tree coverage along the western boundary of the business park which acts as a natural screen.*' In fact the proposed screen is likely to be in direct view of no. 30 Kingston Road and its neighbours. This will be unsightly, and will produce light and noise pollution which will travel easily between Ocean House and Adamson House, and cause disruption. The tree coverage along the western boundary is minimal at this part of Kingston Road and would not be adequate to 'screen' the view or the noise.
- Although the benefit of having open spaces for socialising is understandable, it is not felt that the application adequately explains why an LED screen is felt to be necessary. An LED screen displaying advertisements certainly would not attract people to the area.
- Would it not be reasonable to install the screen so that it is not visible from the only residential road directly facing the area? The natural screening in this location is sparse, are there plans for increased planting along the western boundary to mitigate this? It would be better housed in the ground floor entrance area of Scotscroft House, which also houses a coffee shop and is therefore a place where people will congregate.
- What are the anticipated hours of use of the LED screen? Would it be completely powered off overnight?

- The Towers are located next to a residential area and an LED screen of such a large size would significantly affect the looks of the area and residents within Kingston Road. The Towers are not located within an industrial estate but a residential area and should actually try to conform with the style of the road.
- Already the speaker systems are abused by security at Towers Business Park to raise noise levels at all times of day/night. The LED screen is an inappropriate feature for a Conservation Area and especially when coupled with speaker systems.
- Whilst not visible by all properties along Kingston Road there will be an impact, particularly during winter months, caused by flashing from the very large screen and sound from the speakers.

Environmental Health – Suggests the imposition of conditions to control:

- the hours of operations of the LED screen,
- glare from the LED screen,
- the decibel levels produced by the speakers when measured at the nearest residential properties, i.e. those on Kingston Road.

Policies

The National Planning Policy Framework (NPPF) – The NPPF was published on the 27th March 2012 and replaces and revokes a number of Planning Policy Guidance (PPGs) and Planning Policy Statements (PPSs) previously produced by Central Government. The NPPF constitutes guidance for local planning authorities and decision-makers both in drawing up plans and as a material consideration in determining planning applications. It does not change the statutory status of the development plan, i.e. the Core Strategy, as the starting point for decision making and it states further that development that accords with an up-to-date local plan, such as the Core Strategy, should be approved unless other material considerations indicate otherwise.

The NPPF states that the planning system must contribute to the achievement of sustainable development. These are encapsulated into three categories: economic, social and environmental.

Within paragraph 17 of the NPPF, core land use planning principles are identified. The most relevant principles to this proposal are:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

In addition to the above, Section 12 (*Conserving and enhancing the historic environment*) is of relevance:

Section 12, *Conserving and enhancing the historic environment* – Paragraph 131 states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with conservation.
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
- the desirability of new development making a positive contribution to local character and distinctiveness

Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given the asset's conservation. The more important the asset, the greater weight it should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to loss or loss of a grade II listed building, park or garden should be exceptional.

Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Core Strategy Development Plan Document – The Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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.

A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents. Relevant policies in the Core Strategy are detailed below:

Policy SP1, *Spatial Principles* – Development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protect and enhance the built and natural environment.

Policy EN 3, *Heritage* – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

Policy DM1, *Development Management* – This policy states that all development should have regard to a number of specific issues, the most relevant of which are detailed below:

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Effects relating to biodiversity, landscape, archaeological or built heritage.

Saved UDP Policies – Policies DC18 and DC19 are considered of relevance in this instance:

Policy DC18, *Conservation Areas* – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- a) The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;

- iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including
 - iv. street trees);
 - v. the effect of signs and advertisements;
 - vi. any further guidance on specific areas which has been approved by the Council.
- b) The Council will not normally grant outline planning permission for development within Conservation Areas.
 - c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
 - d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
 - e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Policy DC19, *Listed Buildings* – Policy DC19.1 states that in determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;
- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

The Manchester Green and Blue Infrastructure Strategy (G&BIS) – The G&BIS sets out objectives for environmental improvements within the City in relation to key objectives for growth and development.

Building on the investment to date in the city's green infrastructure and the understanding of its importance in helping to create a successful city, the vision for green and blue infrastructure in Manchester over the next 10 years is:

By 2025 high quality, well maintained green and blue spaces will be an integral part of all neighbourhoods. The city's communities will be living healthy, fulfilled lives, enjoying access to parks and greenspaces and safe green routes for walking, cycling and exercise throughout the city. Businesses will be investing in areas with a high environmental quality and attractive surroundings, enjoying access to a healthy, talented workforce. New funding models will be in place, ensuring progress achieved by 2025 can be sustained and provide the platform for ongoing investment in the years to follow.

Four objectives have been established to enable the vision to be achieved:

1. Improve the quality and function of existing green and blue infrastructure, to maximise the benefits it delivers
2. Use appropriate green and blue infrastructure as a key component of new developments to help create successful neighbourhoods and support the city's growth
3. Improve connectivity and accessibility to green and blue infrastructure within the city and beyond
4. Improve and promote a wider understanding and awareness of the benefits that green and blue infrastructure provides to residents, the economy and the local environment.

Legislative Requirements – Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of the power to determine planning applications for any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Issues

Principle of the Proposal – The installation of the LED screen, which will overlook the piazza where office workers and visitors socially congregate, is considered to be acceptable. Whilst it is recognised that the proposal will improve facilities for the occupiers of the business park, the impact of the LED screen and associated speakers upon the levels of residential and visual amenity enjoyed within the vicinity of the site must be assessed. In addition, as the site is located within the Didsbury St. James Conservation Area and in proximity to the grade II* listed Towers building, the impact of the proposal upon the character of the Conservation Area and listed building must also be assessed.

Residential Amenity – The proposal will be sited 1.8 metres above the ground floor level of the reception area with the top of the LED Screen being approximately 3.9 metres above ground floor level. As a result it is acknowledged that the LED screen will be visible from Kingston Road, particularly from the upper floor windows of those dwellings on the opposite side. However, given that the dwellings on Kingston Road are located approximately 130 metres away and the perimeter of Kingston Road is maturely landscaped, it is not considered that the LED screen will be highly visible, especially when the trees are in leaf.

Notwithstanding this, the concerns of the local residents are noted and as a result a number of conditions are suggested to protect existing levels of residential amenity. Firstly, the operation of the LED screen will be controlled by condition in order to prevent its use during unsocial hours. The applicant has been asked to confirm the hours of use and these will be reported to the Committee. Secondly, the decibel levels of the associated speakers will be set at a level so as not to be a nuisance to local residents, i.e. calibrated so as to achieve a rating level of 5dB below the typical background level at the nearest residential properties. Thirdly, the LED screen shall incorporate features to prevent glare, especially when ambient light levels drop, e.g. in winter or cloudy days. Finally, consent shall only be granted on a temporary basis in order that the ongoing question of the installation can be assessed.

Given the distance between the proposal and the nearest dwellings, the existing screening and the conditions outlined above, it is not considered that the proposal will have an undue impact upon the levels of residential amenity experienced by the residents of Kingston Road.

Visual Amenity – As the LED screen will be located approximately 130 metres away from the nearest dwellings on Kingston Road and it will not be highly visible on that street due to the mature landscaping that exists along the perimeter of the site, it is not considered that the proposal will have a detrimental impact upon the levels of visual amenity enjoyed along this section of Kingston Road.

Impact upon the Didsbury St. James Conservation Area – Policy EN3 of the Core Strategy, along with section 12 of the NPPF, states that consideration must be given to the impact of new developments on heritage assets. In this instance, the application site is located within the Didsbury St. James Conservation Area and to the north of a listed building, namely The Towers, which is Grade II* listed.

The Didsbury St. James Conservation Area, which lies nine kilometres south of the city centre, was designated in November 1970. It is centred on the historical core of Didsbury, at the junction of Wilmslow Road and Stenner Lane, and covers an extensive area. Most of the Conservation Area is on level ground, but there is a slope down Millgate Lane, Kingston Road and Stenner Lane where the higher land gives way to the lower level of the Mersey flood plain. Architectural styles vary from the Perpendicular of St James's Church to the Classical and Gothic of public buildings and of the more grandiose houses. The grounds of the Towers Business Park, originally parkland to The Towers, have been developed with glass office blocks.

Remnants of older and more modest houses exist in simple vernacular character. The whole of the Conservation Area, with the exception of playing fields, is well

wooded. The trees serve not only to screen one group of buildings from another, but to provide a unifying, leafy backdrop to the whole area.

The requirement to preserve or enhance the Conservation Area is a key requirement within policy EN3 of the Core Strategy, saved UDP policy DC18, along with the objectives of the NPPF. As such, any new development must seek to retain the character of the area through careful detailing and, where appropriate, the use of compatible materials.

The proposed screen consists of LED panels housed in a metal casing painted black, as a result it is considered that the appearance of the development is not an incongruous feature in the setting of a modern business park. Given that the design and siting of the proposal is considered acceptable, the proposed materials are consistent with those found throughout the business park and the fact it will not be highly visible from the public highway, especially when the perimeter landscaping is in leaf, it is considered that the proposal will not harm the character of the Conservation Area, thereby complying with the guidance contained within the NPPF.

Impact upon the nearby Listed Building – The proposal will have no physical or visual impact upon The Towers as it located approximately 90 metres away and does not face directly towards that listed building.

Pedestrian and Highway Safety – The proposal will not have an impact upon existing levels of pedestrian and highway safety enjoyed within and adjoining the business park.

Ecology – The proposal will not have an impact upon any ecological features.

Conclusion

On the basis that the proposal would not cause harm to residential amenity, subject to conditions and on the basis that the proposal would not harm the character of the Didsbury St. James Conservation Area and the Grade II* listed Towers building, a recommendation of a temporary approval of one year is made.

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 the right to a fair hearing and to this end the Committee 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 Head 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 approval of the application is proportionate to the wider benefits of approval 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

Officers have worked with the applicant in a positive and proactive manner to resolve any problems arising in relation to the planning application.

Conditions to be attached to the decision

1) The permission hereby granted is for a limited period only, expiring on 9th March 2019 and the structures and works comprising the development for which permission is hereby granted are required to be respectively removed no later than one month from the use ceasing.

Reason - To enable the City Council to consider the acceptability of the continuance of the LED display having regard to the impact on residential amenity, pursuant with policies DM1 of the Core Strategy Development Plan Document.

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

- a) Drawing no. 0244375-00 rev A, stamped as received on 23rd January 2018
- b) Drawing no. 0244375-01 rev A, stamped as received on 23rd January 2018
- c) LED Display and Speaker technical specifications (LEDsynergy), stamped as received on 23rd January 2018

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.

3) The operating hours of the LED screen shall be agreed in writing by the City Council as local planning authority prior to use.

Reason - To safeguard the amenities of the occupiers of nearby residential accommodation, pursuant to Policy DM1 in the Core Strategy Development Plan Document

4) The external speakers hereby approved shall only be used in connection with the operation of the LED screen in accordance with a schedule of days and hours of operation to be agreed in writing. The speakers shall be calibrated so as to achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest residential properties.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Core Strategy Development Plan Document and saved UDP

policy DC26.1.

5)

- a) The LED screen shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.
- b) A mechanism shall be in place so that if the LED screen breaks down, it defaults to a black screen to avoid any flashing error messages or pixalation.
- c) The maximum luminance level of the LED screen shall not exceed 6,000 mcd.

Reason - To safeguard the amenities of the occupiers of nearby properties, pursuant to Policy DM1 in the Core Strategy Development Plan Document.

Local Government (Access to Information) Act 1985

The documents referred to in the course of this report are either contained in the file(s) relating to application ref: 118882/FO/2018 held by planning or are City Council planning policies, the Unitary Development Plan for the City of Manchester, national planning guidance documents, or relevant decisions on other applications or appeals, copies of which are held by the Planning Division.

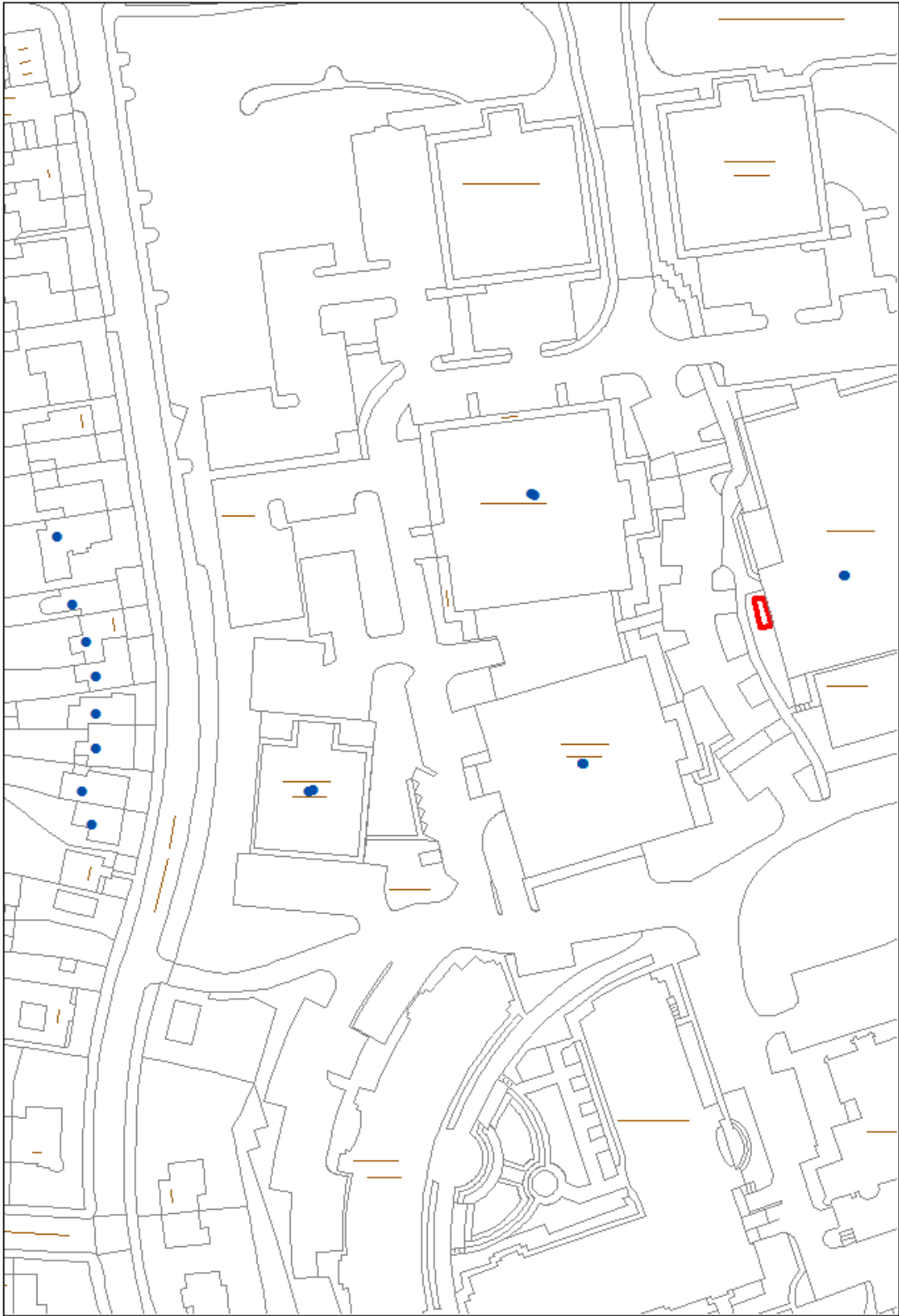
The following residents, businesses and other third parties in the area were consulted/notified on the application:



A map showing the neighbours notified of the application is attached at the end of the report.

Representations were received from the following third parties:

4 Kingston Road, Manchester, M20 2RZ
6 Kingston Road, Manchester, M20 2RZ
12 Kingston Road, M20 2RZ
16 Kingston Road, Didsbury, M20 2RZ
18 Kingston Road, Didsbury, Manchester, M20 2RZ
20 Kingston Road, Didsbury, Manchester, M20 2RZ
28 Kingston Road, Didsbury, Manchester, M20 2RZ
30 Kingston Road, Manchester, M20 2RZ
32 Kingston Road, Didsbury, Manchester, M20 2RZ

Relevant Contact Officer : David Lawless
Telephone number : 0161 234 4543
Email : d.lawless@manchester.gov.uk



 Application site boundary  Neighbour notification
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