

Planning

Growth & Development

Delegated officer report for planning application

Application no.	132934/AO/2022
Date registered valid:	14 February 2022
Proposal:	Installation of illuminated fascia and projecting box signage
Address:	613 Wilbraham Road, Manchester, M21 9AN
Ward(s):	Chorlton Ward
Applicant:	Goodaire, Gotham Newco 2 Limited, Starboard Hotel Ltd, Park House, 10 Penn Road, Beaconsfield, HP9 2LH
Agent (if any):	Mrs Joanne Goodaire, Butterfield Signs Limited, 174 Sunbridge Road, Bradford, BD1 2RZ
Case officer:	David Lawless Tel: 0161 234 4543 Email: david.lawless@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	5 April 2022



Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 5 April 2022

Standard consultations:

Printed: 18 February 2022 Expired: 11 March 2022

Neighbour notifications

Printed: 18 February 2022 Expired: 11 March 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/area

613 Wilbraham Road is a 2 storey mid-terraced commercial property located within Chorlton District Centre. The ground floor unit, which is the subject of this application, is in use as a hot food take-away, while the first floor is in use as a restaurant. The units is flanked by another hot food take-away and a charity shop.

Listed building: no

Conservation area: no

Tree Preservation Order: no

Description of development

Installation of illuminated fascia and projecting box signage

Consultations & Notification Responses

Local Residents/Businesses – No comments received.

Highway Services – Have made the following comments:

Fascia sign:

- The proposed sign is not located on the adopted highway network.
- The proposed sign extends to a maximum projection of 0.1m over the unadopted highway. As such, a Projection over License will not be required.
- The proposed luminance of the sign is noted as 400 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.
- A sufficient headroom clearance of 4m, compliant with the 2.30m minimum, is noted and accepted by Highways.

- The proposed signage complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Projecting box sign:

- The proposed sign is not located on the adopted highway network.
- The proposed sign extends to a maximum projection of 0.7m over the unadopted highway. As such, a Projection over License will not be required.
- The proposed luminance of the sign is noted as 400 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.
- A sufficient headroom clearance of 4m, compliant with the 2.30m minimum, is noted and accepted by Highways.
- The proposed signage complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Chorlton Voice – No comments received.

Policies

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:

DM1, Development Management – This policy states that all development should have regard to a number of specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant specific issues 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.

Saved UDP Policies – Policy DC14 is considered of relevance in this instance:

Policy DC14, Shop Fronts and Related Signs – This policy applies to all retail premises and to other commercial premises which have similar physical characteristics e.g. betting shops, banks, building society offices, opticians premises etc. The relevant elements are detailed below:

Policy DC14.1 states that in determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

DC14.5 The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In determining such applications, the Council will adopt the following policies:

A). In the interests of amenity:

- signs should not normally be positioned other than at fascia level;
- signs should respect the architectural form of buildings and shop frontages;
- where no obvious fascia level exists, signs above shopfronts should be in keeping with the scale of the frontage of the building and in particular should not fill the gap between ground floor shop windows and first floor windows;
- projecting box signs, or any other type of sign which projects significantly beyond the shopfront, should line up with the associated fascia board. Where this is not the case, such proposals will not be permitted;
- the Council will normally permit only one projecting box sign for each shop unit. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs;
- fixed canopies mounted above fascia level or which obscure the fascia or shopfront will not normally be permitted, unless within a structural opening;
- long canopies which ignore the architectural form of frontages will not normally be permitted.

B) In the interests of public safety:

- any sign which is detrimental to the safety of pedestrians or motorists will be refused;
- all canopies, blinds and awnings should provide a minimum clearance of 2.3 metres above the footpath

Issues

Under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 local planning authorities are required to exercise their powers under the Regulations with regard to amenity and public safety, taking into account relevant development plan policies in so far as they relate to amenity and public safety, and any other relevant factors.

Factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Factors relevant to public safety include:

- I. the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome);
- 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.

The definition of “amenity” includes both visual and aural amenity. Therefore as well as visual amenity, the noise generated by advertisements should be considered. “Public safety” is not confined to road safety. Crime prevention and detection are relevant; the obstruction of highway surveillance cameras, speed cameras and security cameras by advertisements is now included.

Amenity – Given the location and context of the site, it is not considered that the signs to be installed on the building would have a detrimental impact upon either visual or aural amenity, given that they are to be sited a considerable distance from the nearest residential accommodation.

Public Safety – Given the location of the proposed signs, it has been determined that they will not have a detrimental impact upon the levels of pedestrian and highway safety enjoyed within the vicinity of the site. The siting of the signs will not compromise nor lead to a reduction in the levels of public safety in and around the site, especially in relation to pedestrian and highway safety.

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

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. No significant problems have arisen during the consideration of this application.

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 location plan stamped as received on 14 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 Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Chorlton Voice

7 Brabham Close, Manchester, M21 9GP

496 Wilbraham Road, Manchester, M21 9AS

496A Wilbraham Road, Manchester, M21 9AS

490 Wilbraham Road, Manchester, M21 9AS

490A Wilbraham Road, Manchester, M21 9AS

492A Wilbraham Road, Manchester, M21 9AS

613B Wilbraham Road, Manchester, M21 9AN

492 Wilbraham Road, Manchester, M21 9AS

494 Wilbraham Road, Manchester, M21 9AS

611 Wilbraham Road, Manchester, M21 9AN

615B Wilbraham Road, Manchester, M21 9AN

613A Wilbraham Road, Manchester, M21 9AN

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 Zone - All Exceeding 90M

Area Team Boundary - Name: SOUTH