

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132617/AO/2021

Date registered valid: 29 December 2021

Proposal: Installation of 1No. internally illuminated fascia sign and 1No. internally illuminated hanging sign

Address: Sultan Restaurant , 513 Wilmslow Road, Withington, Manchester, M20 4BA

Ward(s): Withington Ward

Applicant: Mr Mumtaz Awad 509A Wilmslow Road, Manchester, M20 4BA

Agent (if any): Miss Susan Russell 49 Alness Road, Manchester, M16 8HW

Case officer: Dave Morris
Tel: 0161 600 7924
Email: dave.morris@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 18.02.2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 14 January 2022

Standard consultations:

Printed: 11 January 2022 Expired: 1 February 2022

Neighbour notifications

Printed: 11 January 2022 Expired: 1 February 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

This application relates to a two storey end of parade property used as a restaurant on the ground floor. The upper floor use is unknown.



Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

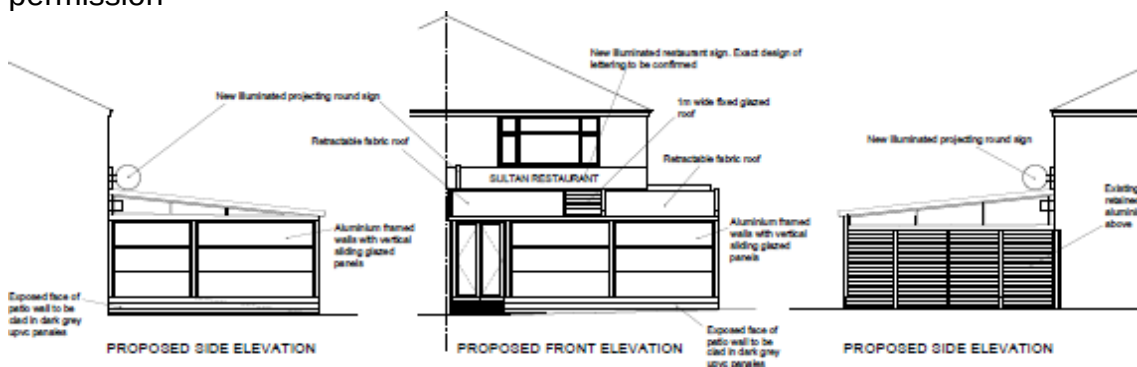
The property is part of a short parade of three units located at the southern end of Withington District Centre. It is outside of the Conservation Area, although the properties facing the site across Wilmslow Road are inside it.

The parade extends to the north. To the south separated by a narrow gap is a residential property. Facing the site across Wilmslow Road is the Red Lion Public House a Grade II Listed Building.

Description of development

Consent is sought for the installation of an internally illuminated box sign across the full width of the property and a projecting box sign located at the left hand side of the fascia sign at the same level.

The submitted drawings show a canopy that is the subject of a separate application for planning permission



In an email dated 14 January 2022 the agent confirmed the luminance levels would be 600 cd/m² and not 1000 as shown on the application forms.

Consultations & Notification Responses

Local residents/businesses

No representations received.

Withington Village Regeneration Partnership

The application site does not fall within the Withington Village Conservation area, the building is of little architectural interest and as such the proposals are considered appropriate and this application is supported by WVRP.

Withington Civic Society

Broadly supportive of the proposed signage.

Highways

Fascia Sign

- The proposed sign is not located on the adopted highway network.
- A Projection over License will not be required.

-The proposed luminance of the sign is noted as 1000 cd/m² which is considered not to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 3.6m, compliant with the 2.30m minimum, is noted and accepted by Highways.

-The proposed sign complies with carriageway clearance requirements.

Projecting sign

- The proposed sign is not located on the adopted highway network.

The proposed sign extends to a maximum projection of 1.0m over the adopted highway. As such, a Projection over License will be required.

-The proposed luminance of the sign is noted as 1000 cd/m² which is considered not to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers

-A sufficient headroom clearance of 3.6m, compliant with the 2.30m minimum, is noted and accepted by Highways.

-The proposed sign complies with carriageway clearance requirements

Policy

Core Strategy

The relevant Core Strategy policy is DM1.

Policy DM1 seeks to protect the amenity of an area from the adverse impact of development.

The relevant saved UDP policy is DC14

Policy DC14 sets down the criteria to be considered in determining application for shop fronts and related signage.

Issues

Principle

Applications for advertisements can only be considered in terms of their impact on Highways safety and amenity.

Highway Safety

Highways have indicated that the lighting levels were too high, the applicant has reduced these to the level suggested, It is therefore considered that within this edge of district centre location the advertisements will not impact upon highway safety.

Amenity

The proposed sign would be mounted above the proposed canopy which is the subject of a separate application. This would position the sign above the existing fascia level of the property and that of the adjacent property. It is considered that in the elevated position the proposed signs would appear incongruous and adversely impact on the visual amenity of the area.

Conclusion.

The proposed signs are not acceptable.

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 communicated their concerns regarding the canopy which determines the position of the proposed signs to the applicant. The proposal without the canopy in place is considered to be contrary to the development plan, national policy and saved policies and therefore refused in line with those policies.

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

The proposed advertisement by reason of its position above the existing fascia level of the property and that of the adjacent property would appear as an incongruous feature to the detriment of the visual amenity of the area.. The proposed development is therefore contrary to the provisions of Core Strategy policy DM1, saved Unitary Development Plan policy DC14.

Appendix 1 – List of consultees & neighbours notified

Withington Civic Society
Withington Village Regeneration Partnership
Highway Services

4 Arnfield Road, Manchester, M20 4AX
515 Wilmslow Road, Manchester, M20 4BA
Flat At, Red Lion Hotel, 532 Wilmslow Road, Manchester, M20 9BT
Red Lion Hotel, 532 Wilmslow Road, Manchester, M20 4BT
Ground Floor, 509 Wilmslow Road, Manchester, M20 4BA
509 Wilmslow Road, Manchester, M20 4BA
511 Wilmslow Road, Manchester, M20 4BA
509A Wilmslow Road, Manchester, M20 4BA

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
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH