

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131691/AO/2021

Date registered valid: 20 September 2021

Proposal: Installation of three internally illuminated fascia signs

Address: Unit 5 , 10A Wilmslow Road, Manchester, M14 5TP

Ward(s): Moss Side Ward

Applicant: Teresa Lee, Kazumi Ltd, Unit 5 , 10A Wilmslow Road, Manchester, M14 5TP

Agent (if any): Mr Tesh Chauhan, 27 Wakefield Gardens, London, SE19 2NR

Case officer: Janet Lawless
Tel: 0161 234 4535
Email: janet.lawless@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 12 November 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 12.11.2021

Standard consultations:

Printed: 24 September 2021 Expired: 15 October 2021

Neighbour notifications

Printed: 24 September 2021 Expired: 15 October 2021

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

The property that is the subject of this Advertisement application is identified as Unit 5 - 10A Wilmslow Road. It is within a parade of commercial/ retail uses within the Rusholme District Centre within the Moss Side Ward of the City. The parade is 5 storey in height with the ground floor being the commercial uses, with the remaining 4 floors above comprising of student residential accommodation.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The remainder of the area is widely commercial, and a large proportion of the units are occupied by food/ restaurant uses, with the area being known as Rusholmes' Curry Mile. There is residential on the side roads.

Description of development

The proposal is for the installation of three illuminated signs. sign 1 is a canopy sign and comprises of Fret cut Opal Acrylic push through letters beyond fascia by 2mm (min) Internally illuminated by LED within Fascia box. The dimensions are 3m width by 0.5m height.

Sign 2 is a fascia sign- Powder coated metal red fascia panel with white vinyl letters applied to fascia panel with an LED full length channel to wash light down face of sign. The dimensions are 6.2m width by 0.26m height

Sign 3 is a panel sign. Fret cut Opal Acrylic push through letters beyond fascia by 2mm (min). Internally illuminated by LED within Fascia box. 2m height by 1.493m width.

Consultations & Notification Responses

Local residents/ Businesses were informed- no representations have been received.

Highways have no objections to the proposed signage, and the illumination levels are all within the recommended City council levels. Concerns were raised with regards to the location of the planters however these do not form part of the application, and would be actionable through other mechanisms if these were to be an issue.

Issues

Policy and Issues

Town and Country Planning (Control of Advertisements) (England) Regulations 2007 - The Advertisement regulations require that applications for advertisements be considered only in the interests of amenity and public safety.

- (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.

National Planning Policy Framework - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018. It sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. However, paragraph 11 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that

development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012 - There are no site-specific policies relating to the application site. However, the following city-wide policies are relevant to this proposal:

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and that all development in the City should make a positive contribution to neighbourhoods of choice including; creating well designed places that enhance or create character; making a positive contribution to the health, safety and wellbeing of residents; considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income; protect and enhance the built and natural environment. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible. Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

Policy DM1 sets out the development principles for all development in Manchester and that the issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration priorities, in particular by contributing to Neighbourhoods of Choice. This includes protection of amenity and local character, environmental standards and practical matters such as access and safety.

Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan - There are no site-specific policies relating to the application site. However the following city-wide policies are relevant to this proposal:

Policy DC14 - Shopfronts and related signs - 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 shop fronts, where appropriate, and of the area within which the premises are located. Policy DC14.1 has been related to the relationship of the signage to the existing building and the context of the site and considered to be appropriate.

Policy DC14.5 - States that 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,

- a. Signs should not normally be positioned other than at fascia level;
- b. Signs should respect the architectural form of buildings and shop frontages;

B. In the interests of public safety,

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

Policy DC15 sets out the criteria for which the Council will take into consideration when assessing the impact of advertisements, hoardings and posters.

It is considered that the illuminated signage has a limited visual impact and thereby accords with policy DC15 with regards to amenity. There are no apparent public safety issues associated with the displayed signage.

Principle of the Proposal - The principle of signage of this nature within the context of the district centre is considered acceptable.

Consideration has, however, to be given as to whether there would be any impact on amenity and public safety.

The proposed luminance of all the signs is noted as 1cd/m², which is in line with the MCC recommended maximum of 600cd/m² and is considered acceptable

Visual Amenity- Given the building's location the proposal is not considered to give rise to concerns with regards to the visual amenity of the area.

Scale - The proposed signage when viewed in the context of neighbouring signage on nearby businesses is sympathetic and considered to be of an acceptable scale providing advertisement for the building, without being overbearing.

It is not considered that the cumulative impact of the sign together with the existing shop signs would be detrimental to the visual amenity.

Public Safety

It is therefore considered that the application will not have a detrimental impact on public safety as a result of their position, size or design. Highways officers have confirmed that they have no objections to the proposed signage.

It is therefore considered to accord with the principles for residential extensions set out in saved UDP Policy DC15 and policies SP1 and DM1 of the Core Strategy.

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 issues arising from 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 documents:

Location Plan- 20th September 2021

Existing Shop Front-GC-MWR-07 dated 20th September 2021

Proposed Shop Front- GC-MWR-08 dated 20th September 2021

Signage detail- GC-MWR-09 dated 20th September 2021

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services

31D Wilmslow Road, Manchester, M14 5TB

Unit 7, 10B Wilmslow Road, Manchester, M14 5AQ

Unit 4, 10 Wilmslow Road, Manchester, M14 5TP

Units 2 And 3, 10A Wilmslow Road, Manchester, M14 5TP

Unit 9, 6 Wilmslow Road, Manchester, M14 5TP

Room 5 Flat 7, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP

Room 3 Flat 6, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP

Room 1 Flat 5, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP

Room 2 Flat 3, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP

Room 5 Flat 1, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP

Room 2 Flat 8, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP

Room 4 Flat 7, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP

[illegible]

Room 1 Flat 1, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 3 Flat 7, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 3 Flat 2, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 2 Flat 2, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
31B Wilmslow Road, Manchester, M14 5TB
Flat 1, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Flat 5, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 1 Flat 8, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 6 Flat 7, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 6 Flat 5, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 4 Flat 5, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 1 Flat 4, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 2 Flat 7, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 1 Flat 7, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 2 Flat 6, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 4 Flat 5, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 4 Flat 4, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
31A Wilmslow Road, Manchester, M14 5TB
Flat 3, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Flat 6, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 2 Flat 7, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 3 Flat 5, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 2 Flat 4, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 5 Flat 3, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 2 Flat 2, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 3 Flat 1, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Room 1 Flat 6, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 1 Flat 2, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 1 Flat 1, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Room 4 Flat 2, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP
Unit 14, 6 Wilmslow Road, Manchester, M14 5TP
Room 4 Flat 1, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
29 Wilmslow Road, Manchester, M14 5TB
Flat 5, Manchester Student Village South, 14A Wilmslow Road, Manchester, M14 5TP
Flat 8, Manchester Student Village South, 14 Wilmslow Road, Manchester, M14 5TP

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: SOUTH