

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132558/AO/2021

Date registered valid: 5 January 2022

Proposal: Installation of internally illuminated fascia sign, internal totem sign and window graphics

Address: Unit A2 Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB

Ward(s): Cheetham Ward

Applicant: Mistry Town Centre House, Merrion Centre, Leeds, LS2 8LY

Agent (if any): Sharon DeMott 1-2 Venture Court , Hinckley, LE10 3BT

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 16 February 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 14 January 2022

Standard consultations:

Printed: 6 January 2022 Expired: 27 January 2022

Neighbour notifications

Printed: 6 January 2022 Expired: 27 January 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site relates to Unit A2 Cheetham Hill Retail Park within the north Manchester ward of Cheetham. The property relates to part of the retail mezzanine floorspace within unit A1 and part of the ground floor area of Unit A2 at Cheetham Hill Retail Park, which has recently been converted into a health and fitness leisure facility (125490/JO/2019). Unit A2 sits with a cluster of units within the retail park which is located west of Cheetham Hill Road.

The Retail Park is an established out-of-centre Retail Park that can be accessed via both Cheetham Hill Road and Queens Road. Queens Road Retail Park is located within a mixed commercial and residential area. To the south and east lies the Manchester Fort Retail Park, which is located at the junction of Cheetham Hill Road (A665) and Queens Road. To the north of the site lies St Chads Primary School and residential areas and to the west are industrial buildings. On the opposite side of Queens Rd to the north-west are three and four storey residential properties.

Description of development

Advertisement Consent is sought for the installation of internally illuminated fascia sign, internal totem sign and window graphics.

The internally illuminated fascia sign would have approximate dimensions of Height: 2.43 x Length: 0.2 x Width: 6.52 metres and would be made of aluminium/ acrylic/ vinyl. The individual letters and symbols would have a maximum height of 85 cm and the colours used would be black, blue and white. The sign would display Pure Gym's logo and would be static, internally illuminated with an illuminance level of 250 cd/m². The fascia sign would be positioned at a fascia level and would align to the height of the neighbouring property's fascia sign.

The internal window totem would display another version of the Pure Gym logo and would have approximate dimensions of Height: 2.64 x Length: 0.2 x Width: 1.6 metres, being made of aluminium/ acrylic/ vinyl. The individual letters and symbols would have a maximum height of 132 cm and the colours used would be black, blue and white. The sign would be static, internally illuminated with an illuminance level of 250 cd/m². The internal totem would be positioned centrally within the mezzanine level of Unit A2.

6 individual window graphics are proposed to be positioned on both the ground floor and at the mezzanine level, typical of other window graphics displayed at other Pure Gym locations, and across the Retail Park.

Planning history

131223/FO/2021- Installation of replacement entrance doors.
Approved 29 September 2021.

CDN/21/0586- Discharge of conditions 10 (plant equipment) and 12 (waste management) attached to planning permission referenced 125490/JO/2019.
Approved 14 September 2021.

125490/JO/2019-Variation of condition 4 of planning permission 124866/JO/2019 to allow mezzanine within unit A1 and part of ground floor of unit A2 to be used as gym and health and fitness gym (Class D2).
Approved 29 June 2020.

124866/JO/2019- Variation of conditions 12 (delivery hours) and 13 (opening hours) attached to planning permission referenced 121707/JO/2018 to allow deliveries to take place between 07:00 and 22:00 Monday to Saturday and 9.00 to 17.00 Sundays and the store to open 08:00 to 22:00 Monday to Saturday and 9.00 to 17.00 Sundays.
Approved 17 January 2020.

121707/JO/2018- Application to vary Conditions 4 (Non-food retail floorspace) and 13 (Operational hours for non-food retail) attached to planning permission 121708/FO/2018 to allow for the sale of food, drink and confectionary goods within Unit A2.
Approved August 2019.

Consultations & Notification Responses

Local residents

The occupiers of the surrounding properties were consulted, and no representations were received.

Environmental Health

Environmental Health asked that the following condition was placed on any approval granted. Illuminated Signage shall be designed and installed so as to control glare and overspill onto nearby residential properties.

Reason - To safeguard the amenities of the occupiers of nearby properties.

The proposed lighting levels stated in the application form are acceptable for during the daytime but our preference is for illuminated signage not to exceed 300cd/m² during the hours of darkness. We recommend that the illuminated signage be fitted with an auto dim function to respond to light levels so not to exceed 300cd/m² during the hours of darkness.

*Another option would be for the lighting simply be set not to exceed 300 cd/m² all the time which would avoid the need for an auto dim function for hours of darkness.

Highway Services

Regarding the fascia sign, Highways commented that the sign is not located on the adopted highway network. The proposed fascia sign does not extend over the adopted highway and therefore does not require a projection over license. The proposed luminance of the static sign is noted as 400cd/m², this is in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways. The fascia sign complies with headroom and carriageway clearance requirements.

Regarding the internal totem sign, Highways commented that the proposed sign is not located on the adopted highway network. The proposed sign does not extend over the adopted highway and therefore does not require a projection over license. The proposed luminance of the sign is noted as 400cd/m², this is in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways. The sign complies with headroom and carriageway clearance requirements.

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Issues

POLICY

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. National Planning Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 12- Achieving well-designed places

Paragraph 126 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. It further states that 'good design

is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 136 states that the quality and character of places can suffer when advertisements are poorly sited and designed. It acknowledges that a separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective.

Town and Country Planning (Control of Advertisements) Regulations 2007

The local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- (1)
 - (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. The regulations state the factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

It 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. Of relevance are:

Policy DM1 (Development Management); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The effects on amenity, including privacy, light, noise,

vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1(Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: 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.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC14: 'Shop Fronts & Related Signs'

DC14.1 states:

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 states:

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;
- c. 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;
- d. 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;
- e. 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;
- f. fixed canopies mounted above fascia level or which obscure the fascia or shopfront will not normally be permitted, unless within a structural opening;
- g. long canopies which ignore the architectural form of frontages will not normally be permitted.

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 E3.3 states:

The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging

new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

ISSUES

Principle of development

According to the NPPF (Chapter 12) the main issues for consideration relate to the impact of the proposals on visual amenity and public safety. The retail park is an established use along this part of Cheetham Hill Road. The proposed signage is commensurate with the commercial nature of the use and uses adjacent to the application site.

Visual amenity

The internally illuminated static fascia sign would sit at fascia level, the internal totem would sit centrally within the mezzanine level of the first floor and the window graphics would be displayed in the windows across both floors. All are positioned within the front elevation of the unit.

At the time of the site visit, the unit was vacant. Placing the fascia sign at the same level as the fascia sign of the neighbouring property provides continuity with the wider architectural form of the Retail Park where one main sign is positioned at fascia level. As such, the sign is typical for the development and so is acceptable in terms of the amount, size, and positioning. On 17 January 2022 over email, the agent provided photographic examples of the internal totem. From this photo it appears the sign would be set back slightly from the window and therefore due to the totem being placed on the first floor and not the ground floor, it may not be easily readable from afar. Nevertheless, the sign would be in keeping with the gym use and would provide additional signage for Pure Gym. The window graphics would still allow a level of transparency for the gym users to look out of the building, whilst creating an open feel to passers-by. The window graphics are not overbearing and provide additional information relating to the gym to direct and inform customers.

There are no residential uses in immediate proximity, and it is not considered that the proposed sign would have any greater impact on the amenity currently experienced by the surrounding commercial units. Therefore, it is considered that the proposal would not have a detrimental impact on visual amenity or the character of the built environment.

Public safety

Each of the proposals comply with MCC recommendations in terms of Highways considerations- the signs are not located or do not extend over the adopted highway network, do not require a projection over license, and comply with headroom and carriageway clearance requirements. They are not considered to cause a distraction to road, rail, or pedestrians.

Both the fascia sign and internal totem have a proposed luminance of 250cd/m², this is in line with the MCC recommended maximum of 600cd/m². Environmental Health asked that a condition is placed on any approval granted, restricting the illuminated signage so not to exceed 300cd/m² during the hours of darkness, and recommended that the illuminated signage be fitted with an auto dim function to respond to light levels so not to exceed 300cd/m² during the hours of darkness. On 26 January 2022 over email, the agent confirmed that the luminance

levels during all hours would be set at 250cd/m2 and on 27 January 2022, Environmental Health confirmed this was acceptable.

Conclusion

On balance it is considered that the proposal is suitably related to the streetscene and context, in terms of the advertisements' height and siting and are therefore considered to be commensurate with Core Strategy policies DM1, EN1 and SP1 and saved UDP policies DC 14.1, 14.5 and policy E3.3, and NPPF Chapter 12.

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

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:

- Application for consent to display an advertisement(s) form, stamped as received by the City Council, as Local Planning Authority on 21 December 2021.
- Drawing- Visuals- Externals Issue 2, stamped as received by the City Council, as Local Planning Authority on 5 January 2022.
- Correspondence- Email KR, stamped as received by the City Council, as Local Planning Authority on 26 January 2022.
- Drawing- Location Plan, stamped as received by the City Council, as Local Planning Authority on 16 February 2022.
- Drawing- Site Plan, stamped as received by the City Council, as Local Planning Authority on 16 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.

3) The maximum luminance level of the advertisements hereby approved shall not exceed 300cd/m² during non-daylight hours / inclement weather.

Reason - To safeguard the amenities of the occupiers of nearby properties in accordance with Policies SP1 and DM1 of the City of Manchester Core Strategy and saved Unitary Development Plan policy DC14.

Informatives

1) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Unit B1, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
B&m, Unit B2 To B3, Elizabeth Street, Manchester, M8 8BB
Currys PC World, Unit C, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
USC, Unit A1, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB

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 - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH1