

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130858/AO/2021

Date registered valid: 24 June 2021

Proposal: Installation of 2no internally illuminated fascia panels, together with vinyl graphics on windows to rear elevation

Address: Unit 33 Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP

Ward(s): Cheetham Ward

Applicant: Patel Princess Works, Atlas, Sheffield, S9 3YE

Agent (if any): Mrs Rachel Skinner Pye Design Architects 29 Market Street, Wigan, WN2 3AE

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

Recommendation: Approve

Date of recommendation: 6 August 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 28 July 2021

Standard consultations:

Printed: 1 July 2021 Expired: 22 July 2021

Neighbour notifications

Printed: 1 July 2021 Expired: 22 July 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

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The application site relates to retail Unit 33, in Cheetham Hill Retail Park. The Retail Park is bound to the north by Queens Road (A6010), Elizabeth Street to the south west and Cheetham Hill Road to the south west. The applicant site faces away from Cheetham Hill Road, with the front of the unit visible from the visitor car park. Unit 33 is one of the smaller units at the Retail Park.

Description of development

Advertisement Consent is sought for the installation of 2 internally illuminated fascia panels, together with vinyl graphics on windows to rear elevation.

The first proposed fascia sign would have dimensions of Height: 1.5 x Width: 3.57 and Depth: 0.1 metre(s) and will be orange and pink on a white background, with the individual letters 'DUNKIN' displayed. The sign will be internally illuminated and static, with 200cd/m² illuminance levels. The second fascia sign will have dimensions of Height: 0.69 x Width: 3.41 x Depth: 0.1 metre(s) and will have the same colours as the first fascia sign with the same lettering. Vinyl graphics will be displayed on the rear elevation, consist of various images and colours and will have dimensions of Height: 2.91 x Width: 7.41 x Depth: 0 metre(s).

Consultations & Notification Responses

Local residents-

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

Highways-

Highways reviewed both fascia signs and window vinyls. The proposals are not located on the adopted highway network. Projection over License will not be required. All comply with headroom and carriageway clearance requirements. In light of this, Highways have no objections to the proposals.

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

According to the NPPF (Chapter 12) the main issues for consideration relate to the impact of the proposals on visual amenity and public safety.

Principle

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 two internally illuminated, static fascia signs will sit at fascia level and above the unit. The signs will replace those erected by the previous tenant, and is largely typical and in keeping of this commercial development. The various vinyl graphics to the rear elevation, and the smaller vinyl at the front of the unit will again compliment the architectural form of the area. Vinyls will provide store information and attract passing customers. The proposed sign in terms of the amount, size and positioning is acceptable within the Retail Park. There are no residential uses nearby 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 fascia signs and vinyls would not have a detrimental impact on visual impact or the character of the built environment.

Public safety

The proposed signs are not considered to give rise to any public safety concerns. Each of the proposals comply with headroom and carriageway clearance requirements and are not

considered to cause a distraction to road, rail or pedestrians. The maximum proposed luminance for the 2 fascia panels is stated as 200cd/m² which is an acceptable level by highways, pursuant with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, The National Planning Policy Framework and Core Strategy Policy DM 1.

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 E3.3 and DC14.5, 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:

The Location Plan/Site Plan, numbered A115 stamped as received on the 24 June 2021 and the drawing titled 'Elevations' numbered A101 stamped as received on the 24 June 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

Unit 35, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 34, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 32, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 31, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 30, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 29, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 28, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 26, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 24, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 25, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP

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 -
Area Team Boundary - Name: NORTH1