

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130896/AO/2021

Date registered valid: 21 July 2021

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

Address: 129 Waterloo Road, Cheetham, Manchester, M8 8BT

Ward(s): Cheetham Ward

Applicant: Mr Smith 125a Gorsebrook Road, Wolverhampton, WV10 6JD

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 14th September 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 17th August 2021

Standard consultations:

Printed: 27 July 2021 Expired: 17 August 2021

Neighbour notifications

Printed: 27 July 2021 Expired: 17 August 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 application is a 2 storey rendered end of terrace property within a small retail parade of 5 units, the property is identified as 129 Waterloo Road in the Cheetham ward of the City. The property is a retail unit known as the little dessert shop (Class E) and would remain so. There is a gated alleyway that runs along the sides and rear. There is a deep forecourt to the frontage of the units which is demarcated for parking for use by the individual businesses. There is a bus stop to the front of the forecourt. There have historically been fascia and projecting signs on the property.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area is predominantly residential on this side of the road comprising of terraced properties and an apartment block. On the opposite side of the road it comprises of a large industrial area, which contains a Timber yard and DIY shop and a garage repair shop, with other warehouse / manufacturing uses occupying the wider estate.

Description of development

Planning permission is sought for the installation of 1 internally illuminated new fascia sign and 1 projecting hanging sign. These would be set in the surround of the new shop front recently approved under reference: 130895/FO/2021.

The fascia sign sits 2.3m above ground level with a maximum projection of 20cm. The depth of the sign is 20cm and it is 60cm high. It would occupy 3.8metres of the fascia width. The maximum height of the lettering is 35 cm. It would comprise of white lettering on a black background with gold edging. The sign would be internally illuminated with the maximum luminance levels of 500cd/m². The illumination would be static.

The projecting hanging sign is set 2.65 metres above ground level and would have a maximum projection off the building of 50 centimetres. It would be 60 centimetres high by 50 centimetres wide by 20 centimetres deep. The text would be black lettering on black and white background with gold edging. The luminance level would be 300cd/m².

Consultations & Notification Responses

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

Highways- No objections- The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.2m over the unadopted highway. As such, a Projection over License will not be required. The proposed luminance of the sign is noted as 500 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, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed sign complies with carriageway clearance requirements.

Issues

Town and Country Planning (Control of Advertisements) Regulations 2007 - States that:

- (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.

It is considered that the illuminated signage relates satisfactorily to the regulations.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. 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 10 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 Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 12. Achieving well-designed places - Paragraph 136 states that the 'quality and character of places can suffer when advertisements are poorly sited and designed.' Notwithstanding the above, paragraph 136 also states that 'separate consent process within the planning system controls the display of advertisements' that should seek to exercise related 'control only in the interests of amenity and public safety, taking account of cumulative impacts'. In this case, it is considered that the signage would be proportionate and well designed. It would be appropriately related to the composition of the building. It is therefore considered that the development would be accord with Chapter 12.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

Advertisements - This section specifically refers to, amongst other things,

- i. Considerations affecting public safety
- ii. Considerations affecting amenity.

In this case it is considered that the display of signage would not be detrimental to highway safety and / or the amenity of the street scene, including Great Ancoats Street as a major orbital route around and gateway to the city centre. The proposals would thereby be appropriately related to the relevant aspects of PPG.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.'

The following policies are relevant to the proposed development:

Policy SP 1 - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well-designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

It is not considered that the appearance and specification of the illuminated signage would unduly impact upon the character or composition of the shopfront or the host building. The number of signs is proportionate and satisfactorily related to the street-scene. Policy SP1 would thereby be accorded with.

Policy EN 1 Design Principles and Strategic Character Areas - States that all development in Manchester should have regard to the character of the area in which the development is located. It is considered that, given the signage is not be visually obtrusive nature. The individual letter signage has some design quality and the box signs are appropriately proportioned. The proposal would thereby be appropriately related to policy EN1.

Policy DM1 - 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. Relevant considerations in this case are:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development to ensure that development has regard to the character of the surrounding area;
- c. Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation;
- d. Design for health.

For the reasons previously set out above, it is considered that the proposed signage would be satisfactorily related to policy DM1 as it would not harmfully affect the character of the host building or its context, including future neighbouring residential uses.

Unitary Development Plan saved policies - The following saved policies of the UDP are considered to be relevant:

Policy DC14 - Shopfronts and related signs

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 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.

It is considered that the illuminated signage has an acceptable visual impact and thereby accords with policy DC14 with regards to amenity. There are no apparent public safety issues associated with the display of the signage as its positioning would accord with policy DC14.5.

Principle - The proposed signage is modest in size, content and level of luminosity and it relates well to the new shop front. The signage would make a positive contribution is related to the future use of the premises and is acceptable in principle.

Advertisements requiring consent - The projecting box sign and fascia comprising of individual letters backlit requires express consent.

Height and positioning - As stated the proposed signage would be appropriately related to the authorised shop frontage and street scene. It also secures a satisfactory clearance above ground level. The height and position of the signage is therefore appropriate.

Highways Issues -Highways have stated that they have no objections to the proposed signage and that and that no public safety issues would arise. The site is located adjacent to the adopted highway. There is an area of unadopted highway in place between the edge of the property and the adopted highway, the projecting sign extends to a maximum of 50 centimetres over the unadopted highway and as such a projection over license will not be required.

Design and proliferation of signs - The scale and appearance of the application signage together with its relationship to the proposed shopfront and street scene has been assessed. It is considered that the signage would be, in design terms, comparable to signage in the wider locality and appropriately related to the building and is context.

Residential amenity - It is not considered that the siting or appearance of the proposed signage adversely affect residential or visual amenity. The proposed luminance of the signs are between 300 cd/m² and 500 cd/m² which is considered to be in accordance with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

Conclusion - It is considered that the extent of proposed signage would be proportionate and appropriately related to the host building and street scene.

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 and the application has been determined in a timely manner, in accordance with the policies with the Development Plan.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) 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.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

01- Location Plan received 29th June 2021

02- Existing Floor Plan and Front Elevation received 29th June 2021

03- Proposed Floor Plans received 29th June 2021

04- Proposed Elevations and Sections received 21st July 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

First Floor Offices, 123 - 129 Waterloo Road, Cheetham, Manchester, M8 8BT
131 Waterloo Road, Cheetham, Manchester, M8 8BT

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 -
Area Team Boundary - Name: NORTH1