

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130325/AO/2021

Date registered valid: 7 May 2021

Proposal: Retention of 1no. internally illuminated fascia sign and 1 no. internally illuminated sign on gable.

Address: 260 Wilmslow Road, Manchester, M14 6JR

Ward(s): Fallowfield Ward

Applicant: Mr J Kashir Wimmy Foods 260 Wilmslow Road, Manchester, M14 6JR

Agent (if any): Mrs Clare Gascoigne Emery Planning Unit 2-4 South Park Business Court, Hobson Street, Macclesfield, SK11 8BS

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

Recommendation: Approve

Date of recommendation: 30.06.2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 11 June 2021

Standard consultations:

Printed: 17 May 2021 Expired: 7 June 2021

Neighbour notifications

Printed: 17 May 2021 Expired: 7 June 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

This application relates to a part two part three storey detached building. The building is of brick construction with a flat roof. The ground floor is in retail use within Class E whilst the upper floors appear to be in residential use.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located on the west side of Wilmslow Road close to the junction with Wilbraham Road within Fallowfield District Centre. To the south is a car park serving the premises and adjoining to the north is a three storey building used as a bar. This building is three storey with a curved façade and a balcony at first floor level. There are further commercial units facing the side across Wilmslow Road.

Description of development

Consent is sought to retain an internally illuminated fascia and gable signs. The fascia sign is the full width of the property and sits between the ground floor display windows and the first floor residential windows. The gable sign whilst similar in depth to the fascia sign is currently mounted at a higher level, however, amended plans have been submitted with the sign lowered so that it is at the same level as the fascia sign.

There is an unauthorised canopy on the front elevation which is the subject of a separate application for planning permission.

Consultations & Notification Responses

Local residents/businesses

No representations received.

Highways

The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Policy

Core Strategy

The relevant Core Strategy policy is DM1 which seeks to protect the amenity of an area from the adverse impact of development.

Unitary Development Plan

The relevant UDP policy is DC14. This reiterates the guidance that advertisements should only be considered in terms of their impact on amenity and highways safety. The policy says that signs should normally be positioned at fascia level.

Issues

Principle

This is a busy district centre in which you would expect to see illuminated advertisements. The principle of the advertisements is considered acceptable.

Amenity

The advertisement is set at fascia level and occupies the full width of the property. In this respect it is similar to the previous sign on the property, although that advertisement was not as deep. On balance it is considered that the fascia sign does not adversely impact on the amenity of the area.

As installed the gable mounted sign is higher than the fascia sign, and this appears incongruous. The applicant has agreed to lower the sign to the same level as the fascia and whilst it cannot be located closer to the corner of the building because of an existing electrical inlet point to the building it is considered that lining the signs up creates a more cohesive advertisement display. On balance it is considered that in the revised position the sign will not adversely impact on amenity.

Highway Safety

Highways have raised no issues in respect of highway safety.

Conclusion

On balance it is considered that there are no highway or amenity implications arising from the pro

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:

Photomontage received 7 May 2021

Drawing 1528/5 received 15 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

12 Boland Drive, Manchester, M14 6DS
Flat 11, 5A Wilbraham Road, Manchester, M14 6JS
8 Boland Drive, Manchester, M14 6DS
5B Wilbraham Road, Manchester, M14 6JS
5D Wilbraham Road, Manchester, M14 6JS
10 Boland Drive, Manchester, M14 6DS
5 - 7 Wilbraham Road, Manchester, M14 6JS
Room B Flat 49, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 49, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 4, 5A Wilbraham Road, Manchester, M14 6JS
Flat 5, 5A Wilbraham Road, Manchester, M14 6JS
Flat 12, 5A Wilbraham Road, Manchester, M14 6JS
Room B Flat 47, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 29, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 25, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 25, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 18, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 17, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 13, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Ladybarn House, Wilmslow Road, Manchester, M14 6ND
Flat 13, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Units 1 To 3, Ladybarn House, Wilmslow Road, Manchester, M14 6ND
Room A Flat 46, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 41, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room D Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 33, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 27, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 19, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 17, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 9, 5A Wilbraham Road, Manchester, M14 6JS
Flat 6, 5A Wilbraham Road, Manchester, M14 6JS
Flat 43, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 35, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 28, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 36, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 26, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 16, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 48, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 42, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 37, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 36, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 32, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 31, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 26, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 23, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 10, 5A Wilbraham Road, Manchester, M14 6JS
Flat 29, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 8, 5A Wilbraham Road, Manchester, M14 6JS

[illegible]

Room B Flat 21, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 21, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 20, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 23, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 33, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 28, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 37, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room B Flat 31, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Room A Flat 24, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 33, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 39, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 37, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 18, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 49, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 42, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 7, 5A Wilbraham Road, Manchester, M14 6JS
Flat 3, 5A Wilbraham Road, Manchester, M14 6JS
Flat 2, 5A Wilbraham Road, Manchester, M14 6JS
Flat 38, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 20, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 17, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 15, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 19, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
14 Boland Drive, Manchester, M14 6DS
Flat Above, 5 - 7 Wilbraham Road, Manchester, M14 6JS
Flat 48, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 40, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 14, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
Flat 27, Ladybarn House, 2 Moseley Road, Manchester, M14 6ND
258 Wilmslow Road, Manchester, M14 6JR

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