

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129698/AO/2021

Date registered valid: 12 March 2021

Proposal: Retrospective application for the installation of 1no illuminated logo panel and 1no illuminated top sign and 1no illuminated bottom sign to automatic teller machine (ATM)

Address: 5-7 Bury New Road, Manchester, M8 8FW

Ward(s): Cheetham Ward

Applicant: Cardtronics UK Ltd t/a Cashzone PO Box 476, Hatfield, AL10 1DT

Agent (if any): Cardtronics Service Solutions Hope Street, Rotherham, S60 1LH

Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 6 May 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 18 March 2021 Expired: 8 April 2021

Neighbour notifications

Printed: 18 March 2021 Expired: 8 April 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: No

Tree Preservation Order: no

This application relates to a hot food takeaway shop within a parade of commercial premises on Bury New Road in the Cheetham Hill area of North Manchester.

The submitted retrospective application is for the installation of an ATM advertisement around the ATM machine.

Consultations & Notification Responses

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

GMP raised no objection to the proposal.

The Highways Team were consulted and raised no objection to the proposal.

Issues

Issues and Policy

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-

- (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.

NPPF (2019)

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are:

a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development:

i. Chapter 8. Promoting healthy and safe communities- States that planning policies and decisions should aim to achieve healthy, inclusive and safe places and policies and decisions should promote public safety and take into account wider security and defence requirements.

ii. Chapter 9: Promoting sustainable transport - States that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives.

iii. Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in

relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY DEVELOPMENT PLAN DOCUMENT (ADOPTED 11 JULY 2012)

Policy SP1 identifies 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 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 DM 1 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:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk and drainage.
- Existing or proposed hazardous installations.

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. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Proposals for new development must clearly detail how the proposed development addresses the design principle, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategic objectives.

UNITARY DEVELOPMENT PLAN SAVED POLICIES

DC14.5 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;

- c) where no obvious fascia level exists, signs above shop fronts 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 shop front, should line up with the associated fascia board. Where there 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 shop front 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 2.3m above the footpath.

DC15.1 States that the Advertisement Regulations require that, amenity and public safety are the only considerations in determining an application for advertisement consent. Material planning considerations include the cumulative impact on visual amenity, the scale and relation to existing buildings and impact on public safety.

DC15.2 In assessing the interests of amenity and safety the council will take account of the following criteria:

- a) developments of this kind should not harm the character of architectural features of a building, nor interfere with its proper use
- b) they should be in scale with the locality and relate properly to the site on which they stand
- c) they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value
- d) a proposal which would be injurious to public safety or adversely effect the flow of traffic, by reason of its position, size or design will not be permitted

DC15.3 Where having regard to the preceding policies, the council considers the proposed development to be acceptable in principle; conditions may be imposed in order to protect safety and amenity.

ISSUES

PRINCIPLE OF DEVELOPMENT

The submitted retrospective application is for the installation of internally illuminated ATM signs.

The advertisement application relates to the installed internally illuminated ATM sign and blue LED halo surround. The ATM has been mounted flush into the existing external façade of the front elevation of the building.

The ATM adverts are of a standard design and appearance and very similar to other ATM's within the vicinity and elsewhere in the City.

The internally illuminated ATM signs appear to be acceptable and has no significant impact upon the building or within the immediate area, there are various adverts and signage upon the building, therefore no justified reason for refusal.

HIGHWAYS

The proposed signs are not located on the adopted highway network.

The proposed sign extends to a maximum projection of 0.04m over the adopted highway.

As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 100 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. The applicant proposed luminance of such signage is stated as 100cd/m² which, as such, is considered acceptable in terms of its impact on the highway.

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.

1) Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, no negotiations were necessary but appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within the NPPF and policies SP1 and DM1 of the Core Strategy.

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

E623318

NW0054

NW0094

The Location Plan and the Design and Access Statement, stamped as received on the 12 March 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 And Second Floors, 7 Bury New Road, Manchester, M8 8FW

7 Bury New Road, Manchester, M8 8FW

5 Bury New Road, Manchester, M8 8FW

Beds Direct, Sherborne Street, Manchester, M8 8NE

1B Bury New Road, Manchester, M8 8FW

1A Bury New Road, Manchester, M8 8FW

3 Bury New Road, Manchester, M8 8FW

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Flood Zones Type 2 (low to medium risk) -

Flood Zones Type 3 (high risk) -

Benefitting From Flood Defences -

Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH1