

Planning

Growth & Development

Delegated officer report for planning application

Application no. 128867/AO/2020

Date registered valid: 11 December 2020

Proposal: Installation of 1 x internally illuminated fascia sign

Address: Unit A1 Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB

Ward(s): Cheetham Ward

Applicant: sportsdirect.com Retail Ltd Unit A Brook Park, Meadow Lane, Shirebrook, NG20 8RY

Agent (if any): Katherine Sneedden Jigsaw Planning PO Box 2844, Glasgow, G61 9DG

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

Recommendation: Approve

Date of recommendation: 13 January 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 14 December 2020

Expired: 4 January 2021

Neighbour notifications

Printed: 14 December 2020

Expired: 4 January 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

The application site relates to a retail Unit 1 A, in Cheetham Hill Retail Park. The retail park is bound to the north by Queens Road Elizabeth Street to the south west and Cheetham Hill Road to the south west. The host building forms part of the newly erected extension to the existing Cheetham Hill Retail Park.

The submitted application seeks planning permission for the installation of an individual lettered fascia sign attached to a fascia panel. The proposed advertisement would have the following dimensions and illumination levels:

The dimension of the sign are 6780mm x 1395mm x 300mm . The internally illuminated letters stand 80 mm and punch through the back panel.

Consultations & Notification Responses

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

The Highways Team were consulted and commented:

The proposed luminance of the sign is noted as 500 cd/m², which 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.

Highways have no objections to the sign.

Issues

National Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 12 Achieving well-designed places

Paragraph 124 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 132 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. Significantly, chapter 12 states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

In this case, it is considered that the proposal would be not be harmful to the visual amenities of the area and the character of the built environment. Furthermore, the proposed advertisement signage would not unduly impact upon the immediate street scene.

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.

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)

The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.

- o Policy DM 1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)

It is considered that the proposed sign would relate appropriately to the context of the site and the surrounding area. Furthermore, the proposed sign would be 'read' within the context and function of the site without unduly affecting residential amenity. The proposals would thereby be appropriately related to Core Strategy policies SP1, EN1 and DM1. The design of the proposed sign attains a satisfactory quality and therefore accords with Core Strategy policy EN1.

4. Saved Unitary Development Plan Policies - The UDP has been superseded by the Core Strategy Development Plan, of relevance are the following saved policies.

- o Saved Policy DC14 - Advertisement Regulations
- o Policy E3.3 (The City's major radial and orbital roads and rail routes).

As the proposed signage relates appropriately to its context in relation to the street and adjacent radial route thereby meeting the requirements of saved UDP policies E3.3 and DC14.

Principle - The retail park is an established use along this part of Cheetham Hill Road. The proposed sign is commensurate with the commercial nature of the use and uses adjacent to the application site.

The proposal seeks consent to erect a large advertisement sign to the glazing of Unit 1a of the newly constructed extension to the existing retail park. The neighbouring unit is to be occupied by a super market and the signage for unit 2 was approved under reference number 126629/AO/220.

Amenity

The proposed sign would be attached to glazed panels above the entrance door of the unit and is largely typical of what would be expected to be seen on a development of this nature and it is considered that sign would not have a detrimental impact on the visual impact on this development. 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.

Design and Appearance

The proposed sign in terms of the amount, size and positioning is considered to be acceptable. The internally illuminated back fascia panel has punched out letters which result in the letters appearing to be individual which creates visual interest to the sign. The size and positioning of the sign is consistent with the location a previously approved sign on unit 2 the neighbouring property. The extended part of the building is attached to the existing retail park which has two retail units displaying high level signs in situ. However, the proposed signage is lower than the existing signage and is considered to be a more sophisticated design solution. Furthermore, the

proposed sign does not detract from the architectural merit of the host building nor does it cross any architectural features. Therefore, it is considered to be appropriate within the context of the application site.

Public Safety and Highways

The proposed sign is not considered to give rise to any public safety concerns. The proposed sign is sufficiently far away from any key pedestrian routes and the levels of illumination are not considered to cause a distraction to road, rail or pedestrians. The maximum proposed luminance is stated as 500cd/m² which is an acceptable level by highways and as the imaging is static only, it creates no issues in terms of driver distraction for passing highway users, pursuant with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, The National Planning Policy Framework; Core Strategy policies DM 1.

Conclusion

On balance it is considered that the proposal is suitably related to the street scene and context, in terms of the advertisements height, siting and design 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

Officers have worked with the applicant/agent to conclude this Application. In this instance, no negotiations were necessary, further information was requested and received on illumination levels and appropriate conditions have been attached to the approval.

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:

CPS20-115 PL04 and CPS20-115 PL101, stamped as received on the 11 December 2020.

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

LiDL, Unit A2, Cheetham Hill Retail Park, Elizabeth Street, Manchester, M8 8BB
19 - 21 Elizabeth Street, Manchester, M8 8BB
Elizabeth House, Elizabeth Street, Manchester, M8 8JJ

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