

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142018/AO/2025

Date registered valid: 14 February 2025

Proposal: Installation of 1no. illuminated fascia sign, 1no. internally illuminated projection sign and externally applied vinyls.

Address: Unit 3, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP

Ward(s): Cheetham Ward

Applicant: Mr Phil Dixson Haymes Pets at Home

Agent (if any): Mrs Debb Smith Image Technique Ltd

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approved and Refused

Date of recommendation: **10 April 2025**

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 26 March 2025

Standard consultations:

Printed: 20 February 2025 Expired: 13 March 2025

Neighbour notifications

Printed: 20 February 2025 Expired: 13 March 2025

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/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Development

The proposal seeks advertisement consent for the retention of 1no. illuminated fascia sign, 1no. internally illuminated projection sign and externally applied vinyl.

There are numerous totem signs that were originally applied for. As these are less than 0.3 sq metres in size, they do not require advertisement consent.

Consultations & Notification Responses

Highway Services confirmed that:

- The proposed signs are not located on the adopted highway network.
- The proposed luminance of all signs is noted as not exceeding 300cd/m², which is in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways.
- The signs comply with headroom and carriageway clearance requirements.
- The proposed signs will not extend over the adopted highway and will therefore not require a projection over license.

Environmental Health - Confirmed that the luminance of the signage does not exceed 300 cd/m² and so is acceptable on Environmental Health grounds.

Publicity - Neighbour notification letters were sent to surrounding properties. At the time of writing this report, no representations have been received because of this publicity.

Policy

Town and Country Planning (Control of Advertisements) Regulations 2007

(1) A 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 Adopted Core Strategy for the City of Manchester (2012)

Adopted on 11th July 2012 and the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

SP1 (Spatial Principle) states the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety, and well-being of residents, consider the needs of all members of the community, and protect and enhance the built environment. Further, development should seek to improve access to jobs, services and open space and provide good access to sustainable transport provision.

CC9 (Design and Heritage) states that design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context and character.

Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

The Council will support high density and mixed-use development in the City Centre, but developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

EN1 (Design Principles and Strategic Character Areas) states that developers will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

The Unitary Development Plan (UDP) for the City of Manchester (1995)

DC14.1 (Shops and Related Signs) 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 shopfronts, where appropriate, and of the area within which the premises are located.

DC14.5 (Shops and Related Signs) 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. The policies relevant to this application are:

- 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 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.

Shopfront and Signage Design Guide (2024)

The shopfronts and signage SPD sets out the detailed guidance for shopfront alterations and the display of signage in Manchester.

The SPD states that new signage should:

- be limited to one fascia signage or internal hanging signage per elevation;
- be located below the first-floor eaves, unless there is historic evidence of signage above;
- have a maximum depth of 30mm;
- not be in the form of internally illuminated lightbox signage;
- not conceal, obscure or damage any elements or detailing of a shopfront that positively contribute to its appearance, historic interest and appreciation.

National Planning Policy Framework (NPPF) (2024)

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development".

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 141 states:

"The quality and character of places can suffer when advertisements are poorly sited and designed. 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. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

Issues

The main issues for consideration relate to the principle of the proposal, as well as, in accordance with the advertisement regulations, the acceptability of the proposal in terms of its impact upon visual amenity and upon public safety. In judging this, the provisions of the development plan and any other relevant factors, so far as they are material, must be taken into account.

The Principle of the Advertisements

The principle of the proposal is considered to be acceptable in this case. Signage is considered appropriate to advert premises

Visual Amenity

The fascia signage is at the same level as and is a similar size to the other fascia signage within the Manchester Fort complex. It is therefore entirely in keeping with the fascia signage in the surrounding area and is not considered to have a detrimental visual amenity impact upon either the unit in question or on the wider surroundings of Manchester Fort.



Signage in situ

The projecting sign has a depth of 170mm. Whilst the thickness of this sign far exceeds the depth of projecting signage normally approved, the thickness, siting and internal illumination is entirely within keeping of the projecting signage throughout the Manchester Fort complex. Because this is located in a bespoke, self-contained complex and is entirely in keeping with the signage in the rest of the complex, it is considered to be acceptable in this particular case.

In other locations however, a projecting sign depth of 30mm would be requested and the projecting sign should be at fascia level.

The external vinyl cover up the glazed frontages of the building, which detracted from the open glazed frontages on the unit, and introduce significant advertisement clutter, all of which causes a detrimental impact upon the visual amenity of the unit in question as well as the surrounding Manchester Fort complex.

Whilst there are some vinyl present on other units, these are often much smaller vinyl that do not run floor the ceiling height on the ground floor, which thereby obstructs the glazing on the unit and creates an inactive and unappealing frontage at ground level.

Public Safety

The luminance levels of the signage are 300cd/m² and are therefore within an acceptable range to not cause any distraction to passing pedestrians or road users, or to cause a disturbance to any nearby residents or commercial occupiers. A condition has been added to ensure that the proposed luminance levels are controlled and complied with. All signage complies with

headroom and carriageway clearance requirements. A projection over licence is not required for the signage. Overall, there are no public safety concerns with the proposed signage.

Conclusion

Given the above, the installed fascia and projecting signage is considered to be consistent with the Core Strategy for the City of Manchester, in particular DM1 (Development Management) and SP1 (Spatial Principles), the saved policies contained within the Unitary Development Plan for Manchester, in particular DC14 (Shop fronts and Related Signs), and the National Planning Policy Framework, in particular Section 12 (Achieving Well Designed Places).

However, the installed external vinyl has caused harm to the visual amenity of the building and its surroundings and is therefore refused on the basis that it does not comply with the Town and Country Planning (Control of Advertisements) Regulations 2007, policies SP1, EN1, and DM1 of the Manchester Core Strategy (2012), saved policy DC14 of the Unitary Development Plan for the City of Manchester (1995), and the National Planning Policy Framework.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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: Approved and Refused

Refused Elements

The retention of the following is hereby refused:
- externally applied vinyl

Reason for recommendation to refuse

The externally applied vinyl, by virtue of their number, size, position, and appearance, do not respond positively to the architecture and appearance of the building, have created advertisement clutter, and have created a visually obtrusive and harmful feature by covering up glazing on the elevation, to the detriment of visual amenity of the surrounding area. The advertisements would therefore be contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, saved policy DC14 of the Unitary Development Plan for the City of Manchester, policies DM1, EN1, and SP1 of the Manchester Core Strategy, and the National Planning Policy Framework (NPPF).

Approved Elements

The retention of the following is hereby approved:

- 1no. internally illuminated fascia sign
- 1no. internally illuminated projecting sign

Condition(s) to be attached to decision for approval

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 fascia sign and projecting sign hereby approved shall be carried out in accordance with the following drawings and documents received by the City Council as Local Planning Authority on 29 January 2025:

- Location Plan

And received by the City Council as Local Planning Authority on 14 February 2025:

- Proposed External Signage Rev H

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.

3) The maximum luminance of the signage shall not exceed 300 cd/m² in brightness at any time.

Reason - In the interests of visual and residential amenity pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy and saved policies DC14.1, DC18.1, and DC19.1 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Country Kitchen, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
Unit 2, Manchester Fort Shopping Park, Cheetham Hill Road, Manchester, M8 8EP
ASDA, Unit 4, 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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: CENTRAL