



Appeal Decision

Site visit made on 26 July 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2024

Appeal Ref: APP/B4215/Z/24/3338863

Burger House, 440 Wilmslow Road, Manchester M20 3BW

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Imran Khan against the decision of Manchester City Council.
 - The application Ref 138657/AO/2023, dated 29 November 2023, was refused by notice dated 19 January 2024.
 - The application is for installation of internally illuminated fascia signage to front and side.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The proposal before me seeks permission for an illuminated box sign to the front of this commercial premises within the main street of Withington. The signage applied for originally was to signify the presence of a hot food takeaway shop called 'Burger House' and this had been installed without the benefit of advertisement consent. However, on my site visit, and confirmed by the parties, both the use of this premises and the signage to this unit had been altered in both design and appearance and a new box sign was in situ on the building.
3. I have no details of the design nor the dimensions of this new sign and accordingly I have considered the appeal based upon the refused scheme with regards the previous signage for the 'Burger House' as originally applied for and as per the confirmation from the Appellant's to this effect.

Main Issues

4. The main issue is the impact of the proposal upon the character and appearance of the area with particular reference to the Withington Conservation Area and the setting of nearby Listed Buildings.

Reasons

5. The appeal property is a two storey red brick commercial building standing upon a fairly prominent corner between Wilmslow Road and Queen Street West within the Withington District Centre. The unit is currently used as a shop to the ground floor and I saw on my site visit that there was an internally illuminated box sign to the front and partially to the side of this building.

6. The site is within the high street of Withington and forms part of the Withington Conservation Area. The site is also opposite the Grade II Listed Withington Methodist Church. The significance of the Conservation Area would appear to be due to the evolution of the commercial area from around the mid 19th century. This development resulted in the commercial high street, much of which we see today and that characterises much of the area. The Grade II Listed Methodist Church has aesthetic as well as communal significance to the area and is a building of fine architectural and historic significance that contributes in a positive manner to the character and appearance of the conservation area itself.
7. The proposal that is subject to this appeal is for an illuminated box sign that would run along the frontage width of the building and would slightly extend around its corner onto Queen Street West. The sign would consist of white protruding lettering that would be illuminated from within the sign box itself. The signage would measure around 730mm in depth and protrude by around 210mm from the front of the building's front façade. The design of the sign would be of a purple design with white lettering and logo.
8. In considering whether to grant consent Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving a Listed building or its setting or any features of special architectural or historic interest which it possesses. Similarly, Section 72 of the same Act requires me to show special attention to the desirability of preserving or enhancing the Withington Conservation Area when determining applications within such an area. The Framework also states that when considering the impact of proposed development on the significance of the heritage asset, 'great weight' should be given to the asset's conservation.
9. I saw on my site visit that there was a plethora of commercial activity and associated signage, along with an equal number of highway signage and lining that gave the place a perception of clutter. Although by definition almost, this is part of the character of such a commercial high street, I do not consider that much of it is particularly sensitive to either the conservation area or the setting of the Grade II Listed Building.
10. Despite this, in the examples of modern shop signage that do exist, it is generally of increasing quality with a sensitivity of design that reflects the bohemian and modern commercial aesthetic of the area and is not overly commercial or 'off the shelf' signage that would tend to erode the distinctive character of the area.
11. The signage proposal before me however would be very generic in its design and consist of glaring materials and a poor commercially led design that would not respond well to either the existing building, nor to the immediate setting of the Listed Building opposite.
12. As such, taken within this context, the appeal proposal would lead to an increase of poorly designed signage within the area that would compound the harm that some poorer designed signs contribute. The size, poor materials and unsuitable way that the sign integrates with the existing shop front would therefore lead to a further erosion of the special architectural and historic character of the area and would cause less than substantial harm to the character and appearance of the Withington Conservation Area.

13. In light of this I identify that there would be a harmful impact to the historic environment and this in turn would result in a negative effect upon the visual amenities of the area. In the absence of any public benefits presented to me I therefore conclude that the proposal would be contrary to Policies SP1, EN3 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC15 and DC18 of the Unitary Development Plan for the City of Manchester, all of which reflect the Framework in their approach to achieving high quality design for such proposals.

Conclusion

14. For the reasons above, taking into account the particular criteria of this proposal, I dismiss the appeal.

A Graham

INSPECTOR