

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139543/AO/2024
Date registered valid: 15 March 2024
Proposal: Installation of externally illuminated fascia sign and internally illuminated projecting sign.
Address: 101 Manchester Road, Chorlton, Manchester, M21 9GA
Ward(s): Chorlton Ward

Applicant: Mr Tayyab Akhlaq Chorlton Takeaway Sales Ltd
Agent (if any): Mr Russell Adams Adams Planning + Development Ltd
Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 14 June 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 9 April 2024

Standard consultations:

Printed: 23 May 2024 Expired: 7 June 2024

Neighbour notifications

Printed: 23 May 2024 Expired: 7 June 2024

Site notice

No site notice has been produced

Press advert

No press advert has been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building



Photograph 1 + 2 101 Manchester Road

The application site relates to the ground floor unit of a two-storey end of parade property, at the front of the property is a concreted forecourt and the rear of the property is a yard that provides access to the first floor flat.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The site is located on the western side of Manchester Road, between Kensington Road and Ransfield Road within the District Centre boundaries of Chorlton. There are commercial properties with residential units above to either side, there is a narrow gap between 101 and 103 Manchester Road. Facing the site is a large retail unit and the vacant Chorlton Leisure Centre.

The properties at the rear are separated by an alley way.

Description of development

The applicant is seeking advertisement consent to install externally illuminated fascia sign and internally illuminated projecting sign.

Consultations & Notification Responses

Publicity – Two sets of notification letters were sent to nearby residential properties (see appendix 1 for the list of properties), one for the original proposal and a second notification was sent to notify residents of amendments to the proposal.

Residents/public opinion – An objection was received to both notifications regarding this application (two in total). The concerns raised were as follows:

The proposed large neon orange signage on a row of neighbouring retail premises would create a visually incongruent, overbearing development contrary to the character of the area and the local development plan and the NPPF.

Highway Services – Requested that the luminance levels be reduced from 650 cd/m² to 600cd/m² which is considered in line with the Lighting Engineers with the Institute of Lighting Professionals.

Further comments were received to the second notification and are as follows:

Fascia Sign:

The proposed sign is not located on the adopted highway network.

The proposed sign extends to a maximum projection of 0.07m over the private forecourt of the site and does not extend over the adopted highway. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as a maximum 600 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Lighting Engineers with Institute of Lighting Professionals.

A sufficient headroom clearance of 2.5m, compliant with the 2.30m minimum, is noted and accepted by Highways.

The proposed signs comply with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Projecting Sign:

The proposed sign is not located on the adopted highway network.

The proposed sign extends to a maximum projection of 0.95m over the private forecourt of the site and does not extend over the adopted highway. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 600 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Lighting Engineers with Institute of Lighting Professionals.

A sufficient headroom clearance of 3.4m, compliant with the 2.30m minimum, is noted and accepted by Highways.

The proposed signs comply with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Issues

Planning History

There has been a total of five previous planning applications at this address, of relevance to the proposal are the following including a still pending application for a new shop front and other works as detailed below

Application reference: 139542/FO/2024

Proposal: Installation of new shop front, retention of retractable awning, installation of new roller shutters together with associated elevational alterations.

Status/Decision: Application Pending Consideration

Application reference: 130131/FO/2021

Proposal: Erection of retractable canopy to front elevation and external access stair and entrance door on gable for apartment above

Status/Decision: Application Approved - 16.06.2021

Application reference: 129123/FO/2021

Proposal: Installation of framed covered structure to form outdoor dining area together with the installation of an external access stair and associated door for residential first floor apartment

Status/Decision: Application Refused - 12.04.2021

Application reference: 086718/LE/2008/S1

Proposal: CERTIFICATE OF LAWFUL USE that the ground floor has been used as a hot food take-away (Class A5) for more than 10 years

Status/Decision: 24.06.2008

Issues

Town and Country Planning (Control of Advertisements) (England) Regulations 2007 – The Advertisement regulations require that applications for advertisements be considered only in the interests of amenity and public safety.

National Planning Policy Framework (NPPF) - Section 12 (Achieving well-designed places) - paragraph 132 of the NPPF (2019) states that the quality and character of places can suffer when advertisements are poorly sited and designed. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Core Strategy - There are no site-specific policies relating to the application site. However the following city-wide policies are relevant to this proposal:

Policy SP1 sets out the key spatial principles which will guide the strategic development of Manchester to 2027 and that all development in 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 DM1 sets out the development principles for all development in Manchester and that the issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration priorities, in particular by contributing to Neighbourhoods of Choice. This includes protection of amenity and local character, environmental standards and practical matters such as access and safety.

Unitary Development Plan (UDP) - There are no site-specific policies relating to the application site. However, the following city-wide policies are relevant to this proposal:

Saved policy DC14 sets out the criteria for which the Council will take into consideration when assessing the impact of advertisements to all shop fronts.

Places for Everyone Joint Development Plan – 2022 to 2039

On the 21st March 2024, nine of the ten Greater Manchester Councils voted to adopt the Places for Everyone Joint Development Plan – 2022 to 2039 (PfEJDP); Manchester City Council is one of the Council's that has voted to adopt the plan. The PfEJDP has superseded parts of some of the policies contained within the Council's Core Strategy.

Principle of the Proposal –In accordance with the NPPF, Planning Practice Guidance, the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and saved policy DC14 of the Unitary Development Plan for the City of Manchester (1995).

The proposed internally illuminated fascia sign shall be considered only in the interests of amenity and public safety.

Amenity – Saved policy DC14 of the UDP states that states that proposals should be in keeping with the character of the building and adjoining buildings, as well as the shopfront and wider area.

Furthermore, the saved policy also requires that the proposed signage should be positioned only at fascia level, respect the form and scale of the building and be consistent across all signs applied to the shopfront. Normally only a single projecting sign is permitted for each unit.

Concerns were raised with the applicant regarding the position of the projecting sign and the illuminance level, together with the size of the fascia sign. The amended drawings received which

had addressed these concerns and show a single projecting sign at fascia level, the fascia sign is to be decreased in size to match with the adjacent shop signs. Lastly the illuminance level has been decreased to address the concerns raised by Highway Services regarding the illuminance level.

The amendments to the proposed adverts are acceptable as it is felt that they would not adversely affect the appearance of the building or visual amenity on the parade of shops. Whilst the orange fascia sign is of a concern raised by a resident its colour is not a reason to warrant refusal.

Public Safety – The proposed signage to give rise to impacts on public safety. In addition, Highway services have not raised any concerns with the sign and found the illuminance levels in accordance with MCC Guidance.

Conclusion – For all of the above reasons, the signage is said to accord with the guidelines set out in saved UDP policy DC14 and the Town and Country Planning (Control of Advertisements) (England) Regulations.

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: Approve

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:

Drawing 02B

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 illuminance level of the externally illuminated fascia sign and internally illuminated projecting sign shown detailed on drawing 02B shall not exceed 600 cd/m².

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

Appendix 1 – List of consultees & neighbours notified

Highway Services

95D Manchester Road, Chorlton, Manchester, M21 9GA
Flat Above, 101 Manchester Road, Chorlton, Manchester, M21 9GA
Flat Above, 107 Manchester Road, Chorlton, Manchester, M21 9GA
109B Manchester Road, Chorlton, Manchester, M21 9GA
108 Manchester Road, Chorlton, Manchester, M21 9TX
Ground Floor, 99 Manchester Road, Chorlton, Manchester, M21 9GA
95E Manchester Road, Chorlton, Manchester, M21 9GA
2A Ransfield Road, Manchester, M21 9QH
109A Manchester Road, Chorlton, Manchester, M21 9GA
105A Manchester Road, Chorlton, Manchester, M21 9GA
97A Manchester Road, Chorlton, Manchester, M21 9GA
Chorlton Baths, Manchester Road, Chorlton, Manchester, M21 9PQ
95A Manchester Road, Chorlton, Manchester, M21 9GA
93 Manchester Road, Chorlton, Manchester, M21 9GA
109 Manchester Road, Chorlton, Manchester, M21 9GA
103A Manchester Road, Chorlton, Manchester, M21 9GA
95B Manchester Road, Chorlton, Manchester, M21 9GA
First Floor, 108 Manchester Road, Chorlton, Manchester, M21 9PQ
95 Manchester Road, Chorlton, Manchester, M21 9GA
99 Manchester Road, Chorlton, Manchester, M21 9GA
97 Manchester Road, Chorlton, Manchester, M21 9GA
107 Manchester Road, Chorlton, Manchester, M21 9GA
103 Manchester Road, Chorlton, Manchester, M21 9GA
105 Manchester Road, Chorlton, Manchester, M21 9GA
1 Kensington Road, Manchester, M21 9GH

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) -
Area Team Boundary - Name: SOUTH AREA