

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138578/AO/2023
Date registered valid: 20 November 2023
Proposal: Installation of two internally illuminated projecting signs to street elevation
Address: 936 - 938 Stockport Road, Manchester, M19 3NN
Ward(s): Levenshulme Ward

Applicant: Mr Riaz Ahmad Kingston Estates Uk Ltd
Agent (if any): Mr Ahmed Choudhry NADA Architects
Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 19 February 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 29 November 2023

Standard consultations:

Printed: 23 November 2023

Expired: 14 December 2023

Neighbour notifications

Printed: 23 November 2023

Expired: 14 December 2023

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

Description of area

The application site is situated at the junction of Stockport Road and Albert Road and is thereby within the Levenshulme district Centre. The application site relates to a white painted, 2-storey former public house (No 936) with a rear service yard accessed via Albert Road and an adjoining former charity shop and upper floor accommodation at No 938, which forms part of a distinctive but unlisted parade of shops characterised by an ornate canopy. The service yard is enclosed by high brick walls and a recessed gate. The site is situated on the pedestrian route to Levenshulme Railway Station and is close to the district centre car park. Refurbishment works, including external alterations, have been implemented in association with planning permission ref: 124089/FO/2019 (approved 18 December 2019), which allowed the use of the property as a restaurant.



Fig.1 – Views of the application property from Stockport Road and Albert Road

Description of advertisements

The proposed signage would be related to the use permitted under planning permission ref: 138577/FO/2023. The advertisement display involves:

- i. Internally illuminate fascia signage to the Stockport Road and Albert Road elevations. The fascia signs would have heights of 700 mm and positioned 3555 mm above ground level. Each sign would have respective lengths of 10367 mm and 13773 mm. The illumination level would be 350 cd/m² with static internal illumination.
- ii. The installation of projecting boxes signs to each side of the eastern and northern elevations adjacent the intersection of the building at the corner of Stockport Road and Albert Road. Each sign would have dimensions of 700 mm (h) x 500 mm (w) x 200 mm (d). The illumination level would be 350 cd/m² with static internal illumination.



Fig.2 – Proposed signage

Site history

- i. 138577/FO/2023 – Approved 26.01.2024
Change of use from bar (sui generis) to retail (Class E) together with associated elevational alterations
- ii. 124089/FO/2019: Approved - 18.12.2019
Proposed change of use from Class A1 charity shop at 938 Stockport Road and Class A4 Wine Bar at 936 Stockport Road to a restaurant (Class A3) with associated elevational alterations and the installation of 2 no. extraction flues to rear elevations
- iii. 124090/AO/2019: Approved - 27.12.2019

Proposed installation of an internally illuminated wrap around fascia sign to Stockport Road and Albert Road elevations, 1 no. fascia level internally illuminated projecting box signs to front (Stockport Road) elevation and 1 no. fascia level internally illuminated projecting box signs to side (Albert Road) elevation.

iv. 108430/FO/2015/N2: Withdrawn - 15.09.2016

Change of use from offices/retail to a restaurant with dessert and shisha area, the erection of a single storey rear extension and associated elevational alterations

v. 106301/FO/2014/N2: Application Refused - 10.04.2015

External alterations incorporating insertion of bi-folding doors and associated works

vi. 101442/FU/2013/N2: Approved - 22.04.2013

Change of use of public house to Class D1 educational establishment

vii. 073374/OO/2004/N2: Refused - 06.12.2004

OUTLINE APPLICATION for the siting, means of access and design for a part six, part five storey building to form offices and retail space

viii. 065490/FO/NORTH2/02: Refused - 12.12.2002

Conversion of existing public house into four retail units at ground floor level and three self-contained flats above, with elevational alterations to form new doorways

ix. 050178/AO/CENTL3/96: Refused - 26.07.1996

Illuminated free-standing double sided 6 sheet advertising unit sited under canopy.

Consultations & Notification Responses

Local residents – Two emails of objection have been received:

i. One email raises issues that were addressed through the consideration of planning application ref: 138577/FO/2023.

ii. A second email states that the proposed signage would add to excessive light pollution in the locality. There is also concern that vinyl signage has been displayed outside the application property before the authorisation of a proposed Class E use.

Highway Services - The following comments have been received:

i. Proposed fascia signs - The signage complies with headroom and carriageway clearance requirements and the proposed luminance level of 350 cd/m² would be acceptable from a highway perspective.

ii. Proposed projecting / hanging signs 1 and 2 - The signs will over-sail the adopted highway by 0.55m and will therefore require a projection over license form the City Council as local highways authority. The sign would comply with headroom and carriageway clearance requirements. The proposed luminance level of 350 cd/m² would be acceptable.

Environmental Health – No objections.

Issues

Town and Country Planning (Control of Advertisements) Regulations 2007 - States that:

(1) 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.

It is considered that the illuminated signage relates satisfactorily to the regulations.

National Planning Policy Framework (NPPF) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019 and subsequently in September 2023. It represents key up to date national policy and is an important material consideration in determining the current application. A number of key aspects of the NPPF that impact on the considerations that need to be given to the current application are identified below. The document states that the 'purpose of the planning system is to contribute to the achievement of sustainable development. The document clarifies that the 'objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs' (paragraph 7). The purpose of the planning system is to achieve sustainable development. Paragraph 8 of the NPPF states that to achieve this, the following three overarching objectives need to be pursued mutually:

- i. The economic role should contribute to sustainable development by building a strong, responsive and competitive economy and ensuring the sufficient amount of and right type of development to support growth.
- ii. The social role is required to support communities by creating a high quality built environment with accessible local services to reflect the needs of the community.
- iii. The environmental role should protect and enhance the natural, built and historic environment.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. The following aspects of the Framework are considered to be relevant.

Section 12. Achieving well-designed places - 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'. It further states that: 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. With regard to advertisement signage Chapter 12 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'.

It is considered that the proposed signage represents a design that is commonly found within the local context. On balance, it is considered that the proposed signage would secure a satisfactory relationship to the shopfront and the characteristics of the related shopping parade thereby securing compliance with Chapter 12.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

Advertisements - This section specifically refers to, amongst other things,

- i. Considerations affecting public safety
- ii. Considerations affecting amenity.

In this case it is considered that the display of signage would not be detrimental to highway safety and / or the amenity of the neighbouring area and would thereby be appropriately related to the relevant aspects of PPG.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy replaces significant elements of the Unitary Development Plan (UDP) as the document that sets out the long term strategic planning policies for Manchester's future development. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The appearance and specification of the illuminated signage would not unduly impact upon the character or composition of the shopfront. It is appropriately related to its context. On this basis, policy SP1 would be accorded with.

Policy EN 1 Design Principles and Strategic Character Areas - States that design is appropriately related to the character of the surrounding area. It is not considered that the signage departs from the character of the shopfront or would be otherwise visually obtrusive

and its illumination would be managed by conditions. The signage is thereby appropriately related to policy EN1.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance with regard to the character of the surrounding area;
- c. Effects on amenity;
- d. Design for health.

For the reasons previously set out above, it is considered that the proposed signage would be satisfactorily related to policy DM1, as it would not harmfully affect the character of Longsight District Centre.

Unitary Development Plan saved policies - The following saved policies of the UDP are considered to be relevant:

Policy E3.3 (Upgrade the appearance of radial and orbital routes) - This policy (E3.3) is relevant given the views of the site from Stockport Road, which is a major radial route to and from the City Centre. It is considered that the new signage would not adversely affect the streetscape of Stockport Road and Levenshulme District Centre. The display area of signage would replicate the existing circumstance. Policy E3.3 would thereby be accorded with.

Policy DC14 - Shopfronts and related signs

Policy DC14.1 - 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 shop fronts, where appropriate, and of the area within which the premises are located. Policy DC14.1 has been related to the relationship of the signage to the existing building and the context of the site and considered to be appropriate.

Policy DC14.5 - 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:

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;

B. In the interests of public safety,

- h. Any sign which is detrimental to the safety of pedestrians or motorists will be refused.

It is considered that the illuminated signage has an acceptable visual impact and thereby accords with policy DC14.1 with regard to amenity. There are no apparent public safety issues associated with the display of the signage as its positioning would accord with policy DC14.5.

Principle - The advertisement application has been considered with regard to its compliance with policy and relevant guidance and legislation rather than any proposal for the continued use of the building. It is considered that the proposed signage has been appropriately and cohesively related to the parameters of the existing shopfront and the established position of fascia signage within the application property.

Height and positioning – All of the proposed signage would achieve appropriate clearance above ground level. The fascia signage would project by 150 mm, which would be acceptable. The comments of Highways regarding projection over to pavement have been responded to through the inclusion of an informative.

Highways Issues - No objections have been received from Highway Services as no public safety issues would arise. As stated, the applicant will be advised of the requirement of a projection over licence as part of the decision.

Illumination levels - A condition has been included to ensure that no illumination exceeds the specified usually recommended maximum of 350 cd/m², is acceptable to Highways.

Design - The proposed design of the signage is considered to be acceptable as it is suitably related to signage within the streetscene. The amount of signage would be proportionate and acceptable.

Residential amenity - The use authorised by planning permission ref: 138577/FO/2023 involves Class E uses at first floor level. It is not considered that the display of signage would impact on residential uses above neighbouring properties or otherwise harm the amenities of the area.

Conclusion - It is considered that the proposed signage would be proportionate and appropriately related to the surrounding shopping parade. The proposed signage, subject to illumination controls secured by condition, would safeguard the amenities of the area. The advertisement signage would appropriately and satisfactorily relate to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester, saved UDP policies DC14.1, DC14.5 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: Approve

Article 35 Declaration

N/A

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 development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 16 November 2023:

Application forms for the display of advertisements

Location plan with a red edge

Proposed GA Site plan & existing floor plan Ref: 23-1181 (04) 001 Rev PL3.

Proposed GA Elevations Ref: 23-1181 (05) 001 Rev PL0.

Proposed GA Elevations Ref: 23-1181 (06) 001 Rev PL0.

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 for the City of Manchester.

4) The illumination of the advertising signage shall not exceed 350 cd/m² as specified on the submitted application forms for the display of advertisements.

Reason – In the interests of the visual amenities of the area pursuant to policies SP1 and DM1 of the Core Strategy for the City of Manchester and saved policies E3.3 and DC14 of the Unitary Development Plan.

Informative

1) As the proposes box signs would project over pavements to Stockport Road and Albert Road application for a 'projection over licence' should be made to the Council As local highways authority before the installation of the signage.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 4, 2A Albert Road, Manchester, M19 3PJ
Flat 3, 2A Albert Road, Manchester, M19 3PJ
Flat 2, 2A Albert Road, Manchester, M19 3PJ
Flat 1, 2A Albert Road, Manchester, M19 3PJ
950 - 956 Stockport Road, Manchester, M19 3NN
2B Albert Road, Manchester, M19 3PJ
2 Albert Road, Manchester, M19 3PJ
930 Stockport Road, Manchester, M19 3AB
932 Stockport Road, Manchester, M19 3AB
Adjacent 936 -938, Stockport Road, Manchester, M19 3NN
3 Albert Road, Manchester, M19 3PJ
Flat 1, 8 Albert Road, Manchester, M19 3PJ
Flat 2, 8 Albert Road, Manchester, M19 3PJ
Top Flat, 950 - 952 Stockport Road, Manchester, M19 3NN
Flat 2, 6 Albert Road, Manchester, M19 3PJ
Flat 1, 6 Albert Road, Manchester, M19 3PJ
Flat Above, 936 - 938 Stockport Road, Manchester, M19 3NN
Flat Above, 954 - 956 Stockport Road, Manchester, M19 3NN
853 Stockport Road, Manchester, M19 3PW
845 Stockport Road, Manchester, M19 3PW
942 Stockport Road, Manchester, M19 3NN
4A Albert Road, Manchester, M19 3PJ
Flat 2, 26 Bankley Street, Manchester, M19 3PP
24 Bankley Street, Manchester, M19 3PP
934 Stockport Road, Manchester, M19 3AB
Unit 1, 4 Farm Yard, Manchester, M19 3NL
847 - 849 Stockport Road, Manchester, M19 3PW
855 Stockport Road, Manchester, M19 3PW
4 Albert Road, Manchester, M19 3PJ
940 Stockport Road, Manchester, M19 3NN
948 Stockport Road, Manchester, M19 3NN
946 Stockport Road, Manchester, M19 3NN
944 Stockport Road, Manchester, M19 3NN

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) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: NORTH AREA