

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138416/AO/2023
Date registered valid: 6 February 2024
Proposal: Installation of 2 no. individual lettered signs with halo illumination
Address: Saffron, 107 Cheetham Hill Road, Manchester, M8 8PY
Ward(s): Cheetham Ward

Applicant: M Sakaroglu
Agent (if any): Rebecca Thompson
Case officer: Janine Renshaw-Livesey
Tel: 0161 234 4555
Email: janine.renshaw-livesey@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 28 March 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 18 March 2024

Standard consultations:

Printed: 27 February 2024 Expired: 5 March 2024

Neighbour notifications

Printed: 27 February 2024 Expired: 5 March 2024

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: Grade II

Conservation area: No

Tree Preservation Order: No

107 Cheetham Hill Road is a Grade II listed building, which is occupied by different operators. One of which has two unauthorised free-standing signs in situ, at the front of the building facing Cheetham Hill Road. The original proposal included signage for two operators. However, the operator known as Daisy which is a Wedding Venue, is subject to this application.

The site consists of a two-storey brick and stone built building. The site is predominately commercial in nature and is situated on a major ariel route into the city centre of Manchester.

The application seeks consent for the removal of two fascia signs and the installation of two individual lettered signs attached to the fabric of the building.

Consultations & Notification Responses

The occupiers of the surrounding properties were consulted, and one objection letter was received.

The proposal was advertised within the local press and a site notice was erected at the site.

The Highways Team- confirmed the proposal was acceptable, as the signs did not project over the highway and luminance of the static signs is noted as 600 cd/mc2, this is in line with the MCC recommended maximum of 600 cd/mc2.

Environmental Health-Requested a restriction of 300 cd/ during the hours of darkness and a condition has been added to the consent.

The objection from a local resident states, that the proposed signs are bigger than the existing and the large standing time sign is over large and has a high illumination and causes light pollution and will be detrimental to road safety. The signs collectively would hinder view to existing businesses.

The proposal has been significantly amended, and the revised application includes two individual lettered signs attached to the fabric of the building. The large sign referred to in the objection letter has now been removed and two smaller free-standing signs are subject to on-going negotiations with the planning enforcement team. This current proposal relates to two individual lettered signs which are considered to be acceptable in terms of visual amenity and road safety. The reason is set out below.

Issues

POLICIES

UNITARY DEVELOPMENT PLAN SAVED POLICIES

E3.3 The council will upgrade the appearance of the city's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.

DC14.5 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;
 - c) where no obvious fascia level exists, signs above shop fronts 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 box signs, or any other type of sign, which projects significantly beyond the shop front, should line up with the associated fascia board. Where there 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 shop front 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.
- B. In the interests of public safety,
 - h) any sign which is detrimental to the safety of pedestrians or motorists will be refused;
 - i) all canopies, blinds and awnings should provide a minimum clearance of 2.3m above the footpath.

NATIONAL PLANNING POLICY FRAMEWORK

Sets out the Government's Planning Policies for England and how these are expected to be applied. It states that the purpose of the planning system is to contribute to the achievement of sustainable development. It states that the planning system should perform:

- o An economic role - contributing to build a strong, responsive and competitive economy, by ensuring that sufficient land, of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements, including the provision of infrastructure;
- o A social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and supports its health, social and cultural well-being; and
- o An environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

7. Requiring good design

67. Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Local Development Framework Core Strategy Development Plan Document (Adopted 11 July 2012)

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of 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

Policy DM 1 states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Design for health.

ISSUES

The submitted Advertisement Consent Application is for the installation of 2 x individually lettered internally illuminated signs.

Highways consider the proposals to be acceptable, as the site is located wholly in private land and the adopted highway extends to the back of the footway and do not over-sail the adopted highway and as such there is no requirement for a highway license pursuant to section 177 of Highways Act 1980 and the illuminations level of 300 cd/m is below industry levels and is supported by environmental health and highways and there are no public safety issues.

Visual Amenity

The proposed signage has been designed to be in keeping with the features of the building and the character of the surrounding area.

The fascia signage are internally illuminated and each individual letter is attached to the fabric of the building. Due to discrete fixings and the absence of a back panel, the architecture behind the signs can still be appreciated. Therefore, the proposal is considered to be acceptable in terms of the amount, size, position, and design and do not detract from within the street scene nor do they detract from the architecture of the host building.

Given the above, it is considered that the proposals are acceptable in terms of visual amenity in accordance with policies EN3, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 of the Development Plan for the City of Manchester and Sections 7 of 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:

Article 35 Declaration

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:

002 and 004, stamped as received on the 6 February 2024.

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 signs hereby approved shall not exceed 300cd/m².

Reason - To safeguard the amenity of nearby occupiers, pursuant to saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies DM1 and SP1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Environmental Health
Highway Services

First Floor, 142B Cheetham Hill Road, Manchester, M8 0PF
Unit 3, 18 - 24 Knowsley Street, Manchester, M8 8HQ
Unit 2, 18 - 24 Knowsley Street, Manchester, M8 8HQ
Unit 1, 18 - 24 Knowsley Street, Manchester, M8 8HQ
Ground Floor Rear, 142C Cheetham Hill Road, Manchester, M8 8PZ
Unit 4H, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 4G, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 4F, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 4E, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 4D, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 4C, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 4B, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 4A, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
142A Cheetham Hill Road, Manchester, M8 8PZ
First Floor, 142 Cheetham Hill Road, Manchester, M8 8PZ
FASHION UNDERWORLD LTD, Unit 1, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
First Floor, 142C Cheetham Hill Road, Manchester, M8 8PZ
Ground Floor Front, 142C Cheetham Hill Road, Manchester, M8 8PZ
Unit 5, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 7, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
1 - 7 Bent Street, Manchester, M8 8NF
142D Cheetham Hill Road, Manchester, M8 8PZ
142 Cheetham Hill Road, Manchester, M8 8PZ
Ground Floor, 142 Cheetham Hill Road, Manchester, M8 8PZ
142B Cheetham Hill Road, Manchester, M8 8PZ
Ground Floor, 142D Cheetham Hill Road, Manchester, M8 8PZ
First Floor, 142D Cheetham Hill Road, Manchester, M8 8PZ
1 Mousell Street, Manchester, M8 8HY
Unit 2, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
Unit 3, 103 - 105 Cheetham Hill Road, Manchester, M8 8PY
109 Cheetham Hill Road, Manchester, M8 8PY
103 - 105 Cheetham Hill Road, Manchester, M8 8PY
142C Cheetham Hill Road, Manchester, M8 8PZ
140 Cheetham Hill Road, Manchester, M8 8PZ
124 Cheetham Hill Road, Manchester, M8 8PZ

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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 -
Susceptible to Surf Water Flood (Less) -

Area Team Boundary - Name: NORTH AREA