MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138823/AO/2023
Date registered valid:	14 December 2023
Proposal:	Installation of internally illuminated fascia signage
Address:	181 - 183 Wilmslow Road, Manchester, M14 5AP
Ward(s):	Rusholme Ward
Applicant:	Mr Hiwa Zada
Agent (if any):	Mr Ahmed Choudhry Nada Architects
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **24/01/2024**

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 10/01/2023

Standard consultations:

Printed: 18 December 2023 Expired: 11 January 2024

Neighbour notifications

Printed: 18 December 2023 Expired: 11 January 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

The proposal relates to a mixed use property on Wilmslow Road/Park Crescent. The property features a commercial

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



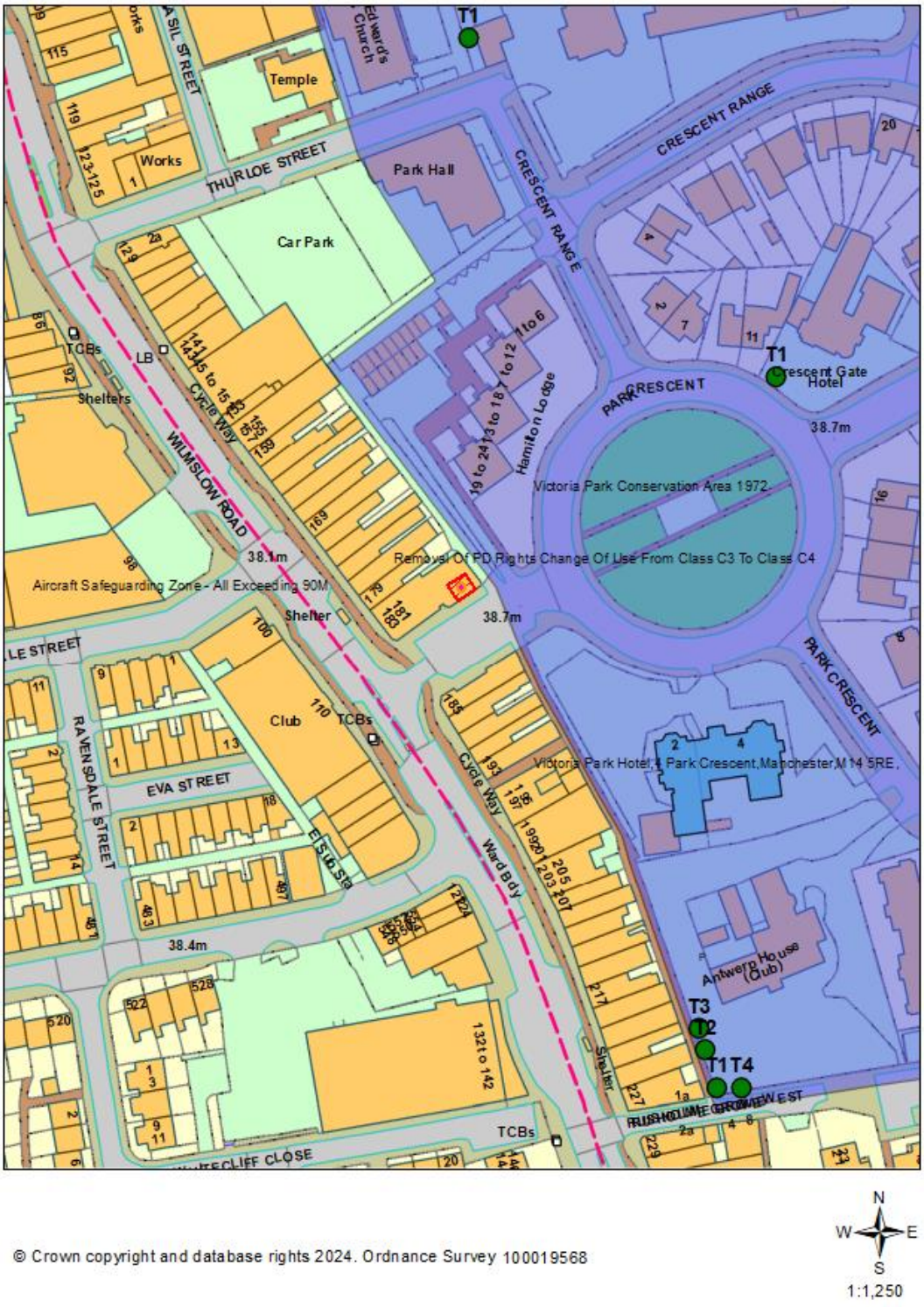
Figure 1. Street scene



Figure 2. Current signage position

Description of area

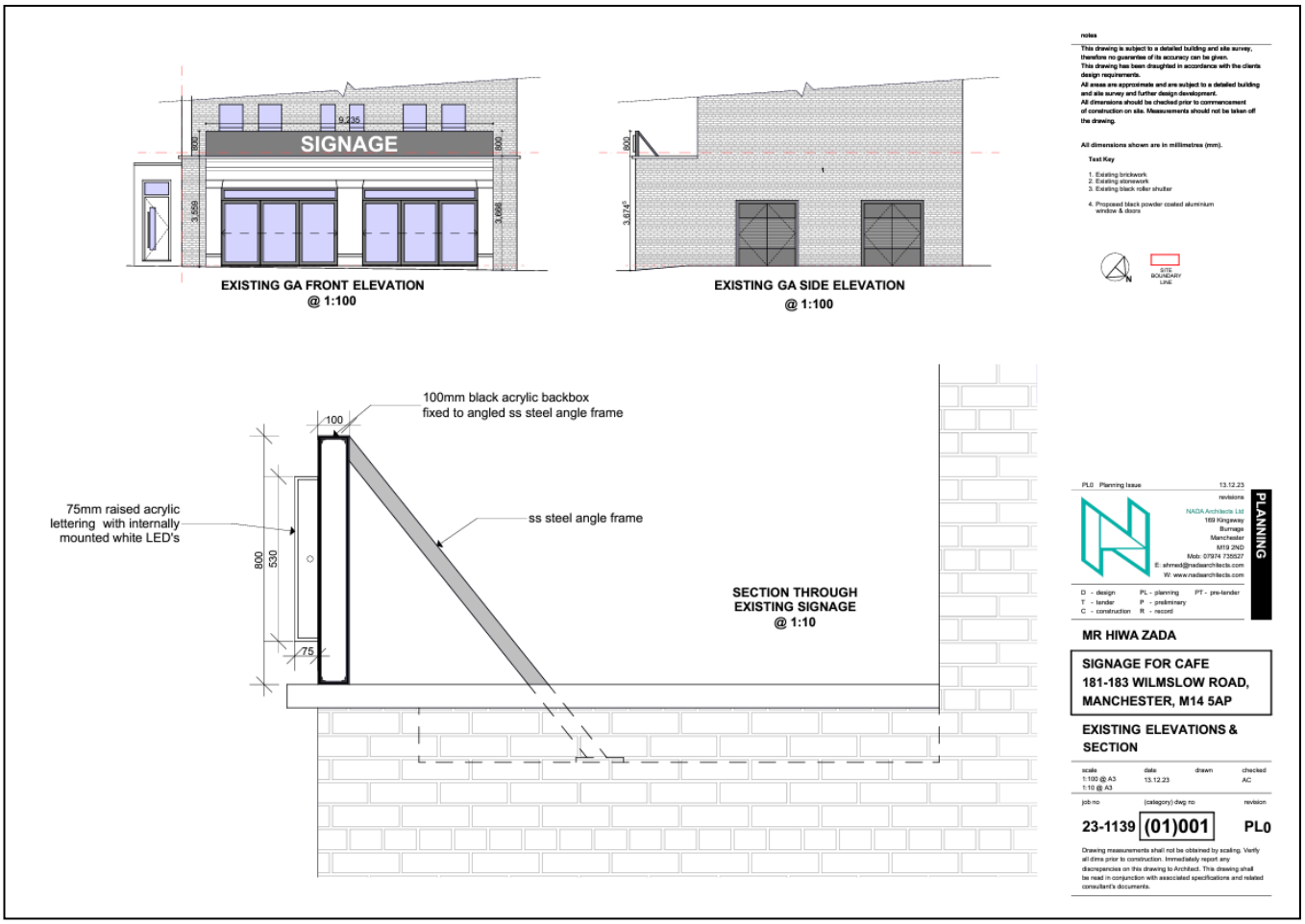
The proposal is located in Manchester's Rusholme ward. The property sits within Rusholme District Centre and adjacent to Victoria Park Conservation Area.



Description of development

The applicant proposes the retention of internally illuminated signage.

The signage stands 800mm above the existing flat roof and is internally illuminated with LEDs



Planning History

ENF/15696/23

Description: Enforcement Enquiry - Unauthorised use of premises as a shisha smoking place (sui generis)

Decision: Pending

137016/FO/2023

Description: Change of use from a cafe (Class E) to a cafe/shisha establishment (sui generis).

Decision: Refused 22/09/2023

24/02748/REF

Description: Appeal of 137016/FO/2023 - Change of use from a cafe (Class E) to a cafe/shisha establishment (sui generis).

Decision: Appeal lodged 18/01/2024

132502/FO/2021

Description: Elevational alterations including the installation of a new window in the side elevation and the repositioning of the entrances to the internal bin store

Decision: Approved 18/03/2022

ENF/13010/15

Description: Enforcement Enquiry - Without planning permission, the erection of an external bin storage area

Decision: Notice Served 24/11/2015

ENF/12910/15

Description: Enforcement enquiry - Development is not in accordance with approved plans

Decision: Closed 24/11/2015

096972/FO/2011/S1

Description: Change of use of retail shop (A1) to restaurant (A3) and first, second and third floor offices (B1) to 6 flats including installation of flue to rear and construction of a bin storage area

Decision: Approved 18/01/2012

123390/JO/2019

Description: Variation of condition no. 4 (hours of opening) attached to planning permission 096972/FO/2011/S1 to allow for amendments to the opening hours, namely 8.00am to 11.00pm seven days a week

Decision: Approve 12/11/2019

088572/FO/2008/S1

Description: Part retrospective alterations to existing building to form a mansard roof and elevational alterations

Decision: Approved 30/03/2009

ENF/07857/07

Description: Enforcement Enquiry - Excavation of a large hole/basement to rear of premises

Decision: Closed 09/10/2007

Consultations & Notification Responses

Consultations

Manchester City Council Highways Services

Manchester City Council Highways Service were consulted on this application.

They had no objections to the proposed development.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

Residents Associations and Groups

As per Appendix 1, Rusholme Business Association were notified of the proposal.

No one commented, objected, or gave their opinion on this application.

Negotiations

Issues have arisen in the consultation phase.

The current signage sits on top of the existing roof above the fascia. The officer asked the applicant to move the signage onto the main fascia board area in line with neighbouring businesses.

Updated proposed development.

The updated scheme moves the signage to sit on the front of the building.

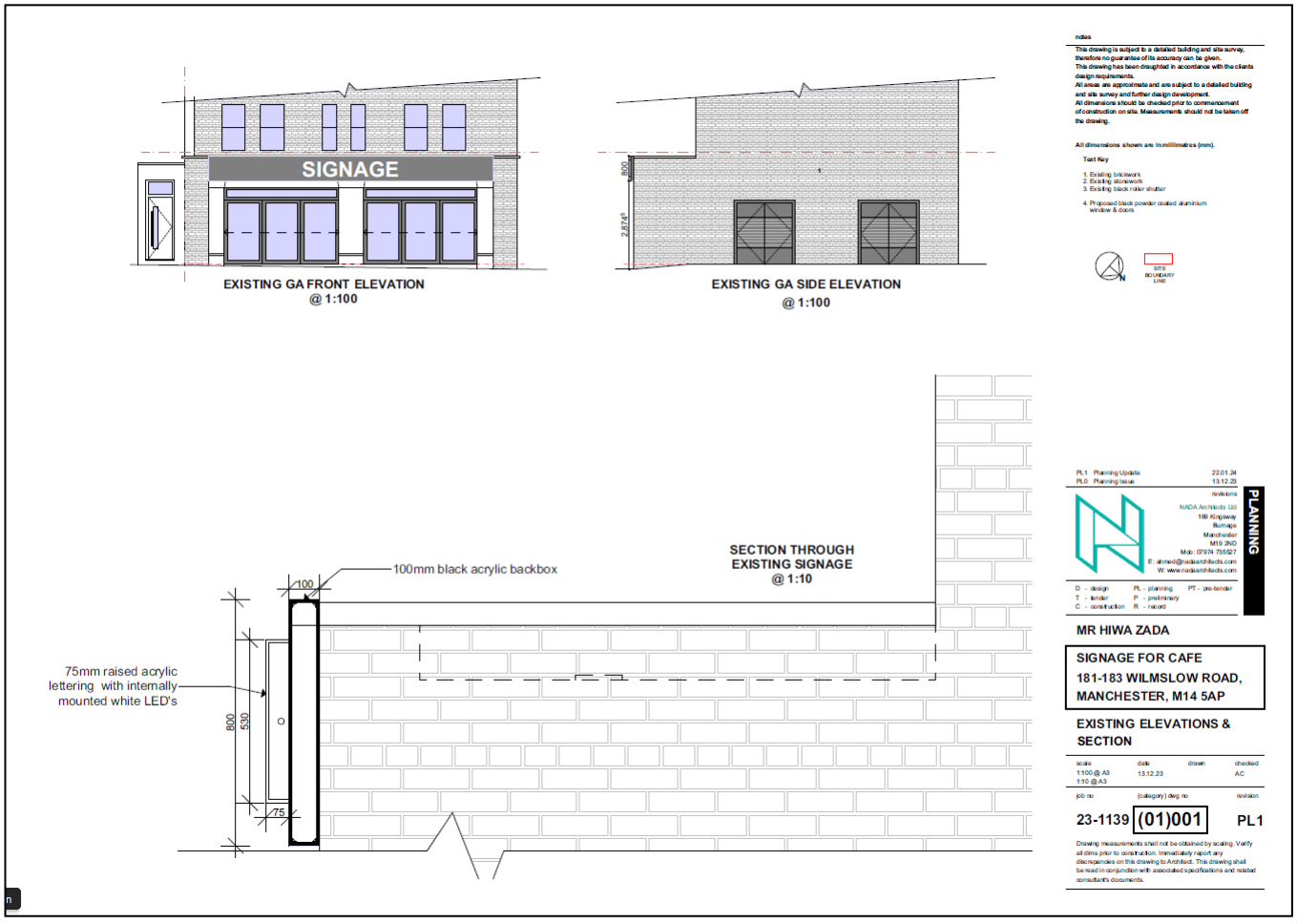


Figure 3. updated plans

The description of development was updated to reflect the new proposal. 'Installation of internally illuminated fascia signage'

Policies & Principle

Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

In considering this application, we consider the following policies relevant.

Local

- The Manchester Core Strategy Development Plan Document 2012-2027 The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and is used to review development applications. We consider the following Core Strategy Policies relevant to this proposal.
    - DM 1 - Development Management
    - SP 1 - Spatial Principles
    - EC 2 – Existing Employment Space
    - EC 3 – Regional Centre
    - EC 8 – Central Manchester
    - C 2 – District Centres
    - C 5 – Central Manchester District Centres - Hulme, Longsight and Rusholme
- Extant Unitary Development Plan (UDP) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.
    - DC14 - Shop Fronts and Related Signs

Regional

- Places for Everyone Plan - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester. Once Manchester adopts the Places for Everyone Plan, it will become part of the city's development plan.

National

- The National Planning Policy Framework (The NPPF) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
    - Section 4 – Decision-making
    - Section 6 – Building a strong, competitive economy
    - Section 12 – Achieving well-designed places
- Town and Country Planning (Control of Advertisements) Regulation 2007 – This regulation is a law in England. It controls how advertisements are developed.
    - Section 3 - Powers to be exercised in the interests of amenity and public safety

Principle of the development

The proposal's principle is acceptable. No factors in amenity terms would warrant refusal.

After careful consideration, it is concluded that the proposed development aligns with the Manchester Core Strategy, Extant UDP, and the NPPF. This conclusion is based on the assessment in the sections that follow.

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

DM 1 – Development Management

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

Appropriate siting, layout, scale, form, massing, materials, and detail

he applicant is seeking the Installation of internally illuminated fascia signage.

The proposed signage is to be located on the front fascia of the premises inline with neighbouring businesses signage.

Officers consider the new development to be acceptable in its siting, layout, scale, form, massing, materials, and detail.

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.

The proposed development won't significantly change the area's character, especially given the context of Rusholme District Centre, so its appearance is acceptable.

The proposal is similar in size and scale to others nearby. Therefore, it can fit on the property site and won't disrupt the area's existing features.

The proposal's design would match the nearby properties. Illumination is internal LEDs which is similar to others nearby.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The proposal is expected to have a negligible effect on privacy.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

The proposed fascia sign is not located on the adopted highway network, will not project over the adopted highway and complies with headway and carriageway requirements.

The proposed luminance of the static sign is noted as 35cd/m2, which is in line with the MCC recommended maximum of 600cd/m2 and is acceptable to Highways.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal does not change how people can get in and out of the building.

The proposal is therefore in accordance with this development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should ‘make a positive contribution to neighbourhoods of choice’.

We consider this proposal to accord with the principles of this policy.

EC 2 – Existing Employment Space

This policy explains how to improve and protect current places where people work.

We consider this proposal to accord with the principles of this policy.

EC 8 – Central Manchester

This policy outlines the principles for employment opportunities in Central Manchester.

We consider this proposal to accord with the principles of this policy.

C 2 – District Centres

This policy outlines the strategy for development within district centres. Development will support thriving district centres, with distinct local character, providing a good range of accessible key services, including retail, health facilities, public services, leisure activities and financial and legal services.

We consider this proposal to accord with the principles of this policy.

C 5 – Central Manchester District Centres - Hulme, Longsight and Rusholme

This policy outlines the strategy for development within district centres in Central Manchester.

We consider this proposal to accord with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the ‘Central Character Area’.

We consider this proposal to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

DC14 - Shop Fronts and Related Signs

This policy outlines the key issues when considering development of shop fronts and related signage.

We consider this proposal to accord with the principles of this policy.

Places for Everyone Plan

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning

applications. The Plan and its policies must therefore be given significant weight in the planning balance.

This proposal is considered to accord with the aspirations of the Places for Everyone Plan.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 5 - Delivering a sufficient supply of homes

Section 5 of the NPPF outlines the need to deliver a sufficient supply of homes.

Section 6 - Building a strong, competitive economy

Section 6. of the NPPF outlines the development management principles to help create the conditions in which businesses can invest, expand, and adapt.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

Town and Country Planning (Control of Advertisements) Regulations 2007

The Town and Country Planning (Control of Advertisements) Regulation 2007 is an act of the United Kingdom Parliament regulating the development of advertisements in England.

Section 3

Section 3 outlines the powers to be exercised in the interests of amenity and public safety by the local planning authority.

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 proposal has been assessed against this criterion and is deemed in accordance with the regulations.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
- Manchester Residential Quality Guide (July 2016) (MRQG)
- Manchester, Salford, and Trafford Strategic Flood Risk Assessment
- Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems
- Manchester City Council Planning and Noise Technical Guidance (2022)
- Air Quality & Planning Technical Guidance (2022)
- Planning and Contaminated Land Technical Guidance (2021)
- Greater Manchester Joint Waste Development Plan Document (GMJWDPD)
- Waste Storage and Collection Guidance for New Developments (2017)
- Hot Food Takeaway Supplementary Planning Document (2017)
- Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards (2020)
- Manual for Streets (2007)
- National design guide & National Model Design Code (2021)
- Outdoor advertisements and signs: a guide for advertisers (2007)

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 polices 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.

Conclusion

We find the proposal's design, size, and appearance acceptable for this location. It won't harm nearby properties or the street's character. There are no other material considerations of enough weight to say otherwise. Due to these reasons, the proposal is not likely to have a negative impact. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive way to find solutions for planning problems. The officer had to deal with some small problems while reviewing the application. They talked with the applicant and others involved to find a solution they all agreed on.

Condition(s) to be attached to decision for approval

1. **3-year time limit**

   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.

2. **Specified plans**

   The development hereby approved shall be carried out in accordance with the following drawings and documents:

   a. Drawing - Location Plan 14 Dec 2023 THE LOCATION PLAN
   b. Drawing - Proposed 22 Jan 2024 (01)001 PL1 ELEVATION AND SECTION

   Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

3. **Specified materials**

   The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

   Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

4. **Advertisement mandatory condition**

   a. 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.
   b. 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.
   c. 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.
   d. 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.
   e. 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.

Reason - In the interests of pedestrian and highway safety, pursuant to Policy DM 1, SP 1 and EN 1 of the Manchester Core Strategy (2012) and The Town and Country Planning (Control of Advertisements) Regulation 2007.

Informative(s) to be attached to decision for approval

1. **Highways licensing**

The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk, highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

Rusholme Business Association

Flat 4, 1 Park Crescent, Manchester, M14 5DU

Flat 3, 1 Park Crescent, Manchester, M14 5DU

Flat 2, 1 Park Crescent, Manchester, M14 5DU

Flat 1, 1 Park Crescent, Manchester, M14 5DU

Flat 11, 1 Park Crescent, Manchester, M14 5DU

Flat 10, 1 Park Crescent, Manchester, M14 5DU

Flat 9, 1 Park Crescent, Manchester, M14 5DU

Flat 8, 1 Park Crescent, Manchester, M14 5DU

Flat 6, 1 Park Crescent, Manchester, M14 5DU

187 Wilmslow Road, Manchester, M14 5AQ

185 Wilmslow Road, Manchester, M14 5AP

Flat 7, 1 Park Crescent, Manchester, M14 5DU

Flat 5, 1 Park Crescent, Manchester, M14 5DU

Flat 14, 1 Park Crescent, Manchester, M14 5DU

Flat 13, 1 Park Crescent, Manchester, M14 5DU

Flat 12, 1 Park Crescent, Manchester, M14 5DU

Ground Floor, 181 - 183 Wilmslow Road, Manchester, M14 5AP

179 Wilmslow Road, Manchester, M14 5AP

Top Flat, 179 Wilmslow Road, Manchester, M14 5AP

Flat 22, Hamilton Lodge, Park Crescent, Manchester, M14 5QU

Flat 20, Hamilton Lodge, Park Crescent, Manchester, M14 5QU

Top Flat, 187 Wilmslow Road, Manchester, M14 5AQ

Flat 24, Hamilton Lodge, Park Crescent, Manchester, M14 5QU

Flat 23, Hamilton Lodge, Park Crescent, Manchester, M14 5QU

Flat 21, Hamilton Lodge, Park Crescent, Manchester, M14 5QU

Flat 19, Hamilton Lodge, Park Crescent, Manchester, M14 5QU

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA