

Planning

Growth & Development

Delegated officer report for planning application

Application no. 139526/AO/2024
Date registered valid: 14 March 2024
Proposal: Installation of internally illuminated fascia sign
Address: 479 Wilmslow Road, Manchester, M20 4AN
Ward(s): Withington Ward

Applicant: Mr Musab Navid Loaded Mcr
Agent (if any): Mr M Ahmed M1 Architecture Ltd
Case officer: Robert Tyrer
Tel: 0161 234 4068
Email: robert.tyrer@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 7 May 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 09 April 2024

Standard consultations:

Printed: 5 April 2024 Expired: 26 April 2024

Neighbour notifications

Printed: 5 April 2024 Expired: 26 April 2024

Site notice

Posted: 10 April 2024 Expired: 1 May 2024

Press advert

Published: 9 April 2024 Expired: 23 April 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to a mid-parade two storey property. The properties along the parade may have originally been built as dwellinghouses and then the parade was extended to the front with part of the ground floor converted into commercial uses. The application relates to the shop front which has already been installed at the time of this report was written.



Photograph 1 and 2: Case Officers site photographs, shop front highlighted by red box.

Listed building: Not applicable

Conservation area: Withington Conservation Area 1983

Tree Preservation Order: Not Applicable

Description of area

The site is located within the Withington Conservation Area and District Centre. The parade of shops is located on the eastern side of Wilmslow Road just to the north of the junction with Parsonage Road.

Description of development

The applicant is seeking advertisement consent to install an internally illuminated fascia sign.

Consultations & Notification Responses

Publicity – Notification letters were sent to nearby residential properties (see appendix 1 for the list of properties) and a site notice was placed outside of the property.

Local residents/public opinion – No objections, comments or representations in support of the application have been received.

Highway Services – No objection, commented as follows:

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

The proposed luminance of the static sign is 300cd/m², which is in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways.

The sign complies with headroom and carriageway clearance requirements.

The sign will not project over the adopted highway and will therefore not require a projection over licence.

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.

Policy EN3 encourages development that complements and takes advantage of the distinct historic and heritage features of its district and neighbourhoods, including those of the City Centre.

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:

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

Policy DC18 sets out ways in which the Council will seek to preserve and enhance the character of its designated conservation areas.

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.

The relevant PfEJDP policy is as follows:

PfE Policy JP-P2 requires the positive management and integration of Greater Manchester's Heritage that amongst other priorities ensures that the heritage significance of a site or area is considered in accordance with national planning policy in the planning and design process and opportunities for interpretation and local engagement are optimised and by delivering positive benefits that sustain and enhance the historic environment, as well as contributing to the economic viability, accessibility and environmental quality of a place, and to social wellbeing; and

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.

As described above the existing unit is in the middle of a parade of commercial units on the eastern side of Wilmslow Road within the district centre. The Withington Village Framework (March 2021) describes the signage and shopfront through the centre of Withington as being disjointed and varying in condition, style and illumination. The framework identifies that unsympathetic shop frontages and modern amendments to Victorian Buildings

The application site is in a highly prominent location of Withington conservation area and on the main thoroughfare through the district centre. Taking into account the context and aspiration of the Withington Village Framework it is considered that the proposed signage by virtue of its design, prominence and means of illumination would be an obtrusive feature within the street scene of the designated conservation area. As such it would be harmful to visual amenity and hence fail to preserve and enhance the character and appearance of the conservation area.

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 – The proposed development is considered to be harmful to visual amenity of the district centre and conservation by reason of its poor design, prominence and means of internal illumination.

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: Refuse

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) The Installation of the internally illuminated fascia sign, by virtue of its position on the building, size and appearance, would create a highly prominent and visually intrusive feature on the building and in the street scene. The signage would form an incongruous addition to the conservation area which would fail to preserve or enhance its special character and appearance and would result in an unduly harmful impact on the visual amenity of the building and wider conservation area. The proposal is therefore contrary to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, 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 (1995).

Appendix 1 – List of consultees & neighbours notified

Highway Services

Flat 4, 1C Parsonage Road, Manchester, M20 4PB
Flat 3, 1C Parsonage Road, Manchester, M20 4PB
Flat 2, 1C Parsonage Road, Manchester, M20 4PB
Flat 1, 1C Parsonage Road, Manchester, M20 4PB
Costa Coffee, 494A Wilmslow Road, Manchester, M20 3BG
Flat 20, 494 Wilmslow Road, Manchester, M20 3BP
Flat 25, 494 Wilmslow Road, Manchester, M20 3BP
Flat 24, 494 Wilmslow Road, Manchester, M20 3BP
Flat 23, 494 Wilmslow Road, Manchester, M20 3BP
Flat 22, 494 Wilmslow Road, Manchester, M20 3BP
Flat 21, 494 Wilmslow Road, Manchester, M20 3BP
Flat 19, 494 Wilmslow Road, Manchester, M20 3BP
Flat 18, 494 Wilmslow Road, Manchester, M20 3BP
Flat 17, 494 Wilmslow Road, Manchester, M20 3BP
Flat 16, 494 Wilmslow Road, Manchester, M20 3BP
Flat 15, 494 Wilmslow Road, Manchester, M20 3BP
Flat 14, 494 Wilmslow Road, Manchester, M20 3BP
Flat 13, 494 Wilmslow Road, Manchester, M20 3BP
Flat 12, 494 Wilmslow Road, Manchester, M20 3BP
1A Parsonage Road, Manchester, M20 4PB
Flat 5, 494 Wilmslow Road, Manchester, M20 3BP
Flat 4, 494 Wilmslow Road, Manchester, M20 3BP
Flat 3, 494 Wilmslow Road, Manchester, M20 3BP
Flat 2, 494 Wilmslow Road, Manchester, M20 3BP
Flat 1, 494 Wilmslow Road, Manchester, M20 3BP
Flat 11, 494 Wilmslow Road, Manchester, M20 3BP
Flat 10, 494 Wilmslow Road, Manchester, M20 3BP
Flat 9, 494 Wilmslow Road, Manchester, M20 3BP
Flat 8, 494 Wilmslow Road, Manchester, M20 3BP
Flat 7, 494 Wilmslow Road, Manchester, M20 3BP
Flat 6, 494 Wilmslow Road, Manchester, M20 3BP
3B Parsonage Road, Manchester, M20 4PB
3A Parsonage Road, Manchester, M20 4PB
482 Wilmslow Road, Manchester, M20 3BG
492 Wilmslow Road, Manchester, M20 3BG
490 Wilmslow Road, Manchester, M20 3BG
487 Wilmslow Road, Manchester, M20 4AN
481 - 483 Wilmslow Road, Manchester, M20 4AN
477 Wilmslow Road, Manchester, M20 4AN
475 Wilmslow Road, Manchester, M20 4AN
473 Wilmslow Road, Manchester, M20 4AN
485 Wilmslow Road, Manchester, M20 4AN
486 - 488 Wilmslow Road, Manchester, M20 3BG
Ground Floor, 492 Wilmslow Road, Manchester, M20 3BG
486A Wilmslow Road, Manchester, M20 3BG
490A Wilmslow Road, Manchester, M20 3BG
Flat 2, 482A Wilmslow Road, Manchester, M20 3BG
Flat 1, 482A Wilmslow Road, Manchester, M20 3BG
482A Wilmslow Road, Manchester, M20 3BG
Ground Floor, 482 Wilmslow Road, Manchester, M20 3BG

Basement, 479 Wilmslow Road, Manchester, M20 4AN
484 Wilmslow Road, Manchester, M20 3BG
484A Wilmslow Road, Manchester, M20 3BG
3 Parsonage Road, Manchester, M20 4PB
First Floor, 492 Wilmslow Road, Manchester, M20 3BG
Second Floor, 492 Wilmslow Road, Manchester, M20 3BG

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
Conservation Area - Withington Conservation Area 1983
Area Team Boundary - Name: SOUTH AREA