

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138180/AO/2023
Date registered valid: 13 December 2023
Proposal: Installation of LED 3D letters signs to front and side elevation
Address: 2 Thorp Road, Manchester, M40 5BL
Ward(s): Miles Platting & Newton Heath Ward

Applicant: Mr Paul Robinson, The Acrylic Letter Company Ltd
Agent (if any): The Acrylic Letter Company Ltd
Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 7 February 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 9 January 2024

Standard consultations:

Printed: 21 December 2023

Expired: 14 January 2024

Neighbour notifications

Printed: 21 December 2023

Expired: 14 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to 2 Thorp Road within the Miles Platting & Newton Heath ward of north Manchester. The site relates to the Manchester Plumbing Supplies business which encompasses the ground floor of the site and is accessible from entrances from both Thorp Road and Jessie Street. The site is part of a wider building which extends up to four stories and is part render, part grey cladding, part brick which contains residential accommodation above ground floor level (see planning ref: 137289/FO/2023 for further details).

The shop elevation facing Thorp Road is characterised by two shop fronts and an additional door with dark grey finishes and roller shutters. Two signs are sited within this elevation. The shop elevation accessible from Jessie Street contains no signage as existing and instead benefits from a small canopy over the entrance door made with grey cladding.

The surrounding area is mixed in nature. To the west, north west and north of the site sits commercial and business uses, including The Sharp Project and Central Park. The area to the east and south of the applicant site is primarily residential in nature.

Description of development

Advertisement Consent is sought for the installation of LED 3D letters signs to front and side elevation.

Signs to be installed within the front elevation of the site on Thorp Road would include the signs of 'MPS' and 'Bathrooms Plumbing Heating' to be inserted on the dark grey cladding above the first floor of the site. As confirmed via email by the agent on 2 February 2024, the existing small signs within the elevation would be removed as a result of the proposal.

Signs to be installed within the side elevation along Jessie Street would involve an entrance sign to be inserted on the existing dark grey cladding canopy above the entrance door and a 'Bathrooms Plumbing Heating' sign to be installed on dark grey cladding at first floor level.

Detailed information and dimensions of the signs are contained within the submitted application form. The materials would be made of acrylic and foam with steel rail and would be white in colouration. The signs would be static and externally illuminated, with an illuminance level of 44.8 cd/m². A section drawing was also submitted showing the opal acrylic 3D letters with a 100mm depth. The agent also supplied photos of the profile of the letters for consideration, stamped as received on 2 February 2024.

Planning History

137289/FO/2023- 2-4 Thorp Road- Retention of 1no. 1 bedroom flat, 1no. 2 bedroom flat and 1no. 4 bedroom flat.
Currently pending consideration.

125734/FO/2019- 2 - 4 Thorp Road- Change of use of to create 1 x 1 bedroom flat on the first floor, 1 x 2 bedroom flat on the first and second floor and 1 x 3 bedroom flat on the second and third floors (Class C3).
Withdrawn 20 November 2020.

Further planning history exists prior to the current policy plan period of 2012.

Consultations & Notification Responses

Local Residents

Local residents were consulted and one objection was received. The neighbour raised concern with the signs to be installed on the corner of Jessie Street and Cutland Street as the illumination of signs could lead to light shining into habitable space, to the detriment of residential amenity. The neighbour mentioned the business already benefits from two spotlights which shin directly into the complainant's property.

Highway Services

Highway Services were consulted on the application and the following comments were received:

The proposed fascia signs are not located on the adopted highway network.

The proposed fascia signs will not extend over the adopted highway and therefore will not require a projection over license.

The proposed luminance of the signs is noted as 44.8cd/m², which is in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways.

The fascia signs comply with headroom and carriageway clearance requirements. 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

Environmental Health

Environmental Health were consulted on the application and the following comments were received:

No comments/objection to the above application.

Issues

POLICY

The National Planning Policy Framework (December 2023)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. National Planning Policy Framework has been related to the proposed development, with particular emphasis given to the following:
Chapter 12- Achieving well-designed and beautiful places

Town and Country Planning (Control of Advertisements) Regulations 2007

The local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- (1)
 - (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 regulations state the factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

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

It 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. Of relevance are:

Policy DM1 (Development Management);

Policy SP1 (Spatial Principles);

Policy EN1 (Design Principles and Strategic Character Areas).

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

DC15: Advertisements, Hoardings and Posters:

DC15.1 states:

In determining applications for free standing hoardings and wall mounted posters the Council will take account of the following matters in assessing these interests:

- a. the general location of the proposed development and the effect on visual amenity;
- b. the scope for posters and hoardings to make a positive contribution to the locality;
- c. the design of the structures, and the relationship with any premises on which they are located;
- d. the effect of the proposal on permanent redevelopment of the land;
- e. public safety resulting from the positioning of the design of the display;
- f. the ease with which the structure is capable of being satisfactorily maintained;
- g. the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
- h. the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development;
- i. the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
- j. the number of advertisements in the locality and their cumulative effect on visual amenity.

DC15.2 In assessing the interests of amenity and safety the Council will take account of the following criteria:

- a. developments of this kind should not harm the character or architectural features of a building, nor interfere with its proper use;
- b. they should be in scale with the locality and relate properly to the site on which they stand;
- c. they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;
- d. a proposal which would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size, or design will not be permitted.

DC15.3 Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect safety and amenity.

Reasons: The Council accept that advertisements can have a positive role in improving the quality of the visual environment in the City - examples are given in policy DC15.2. At the same time, there is the need to maintain public safety, avoid clutter, and safeguard the particular features of buildings or land.

Places for Everyone

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 to the Plan. The Examination of the 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 are 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.

The following policies are relevant:
i.JP- S1- Sustainable development

ISSUES

According to the NPPF (Chapter 12) the main issues for consideration relate to the impact of the proposals on visual amenity and public safety.

Principle of Development

The development seeks advertisement consent for the installation of LED 3D letters signs to front and side elevation, used to display information relating to the business. The proposed signage would be viewed contextually with the building and would therefore be related to a context with a notable representation of advertising signage, by improving the signage related to the site.

Visual Amenity

The signs to be installed on the front elevation of the property along Thorp Road would include signs of 'MPS' and 'Bathrooms Plumbing Heating' to be inserted on the dark grey cladding before the first floor of the site. As confirmed via email by the agent on 2 February 2024, the

existing small signs within the elevation would be removed as a result of the proposal and as such there would be no opportunity for the proposed LED signs to lead to architectural clutter. The signs would look onto the classified 'B' road of Thorp Road and onto land related to the Sharp Project. As such, there would not be any immediate residential properties or commercial buildings to look directly at the signs. The proposed signs would be of a high level and would promote the existing business. The signs along Thorp Road would reflect similar signs within the surrounding neighbourhoods, including the 'EDM' signs within the commercial building to the north west. As such, the signs are considered to be sympathetic to the commercial nature within the immediate area and are considered acceptable in terms of size, amount, location and design of the signs, pursuant with part 2(a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

Signs to be installed within the side elevation along Jessie Street would involve an entrance sign to be inserted on the existing dark grey cladding canopy above the entrance door and a 'Bathrooms Plumbing Heating' sign to be installed on dark grey cladding at first floor level. During the course of the application, local residents were consulted and one objection was received. The neighbour raised concern with the signs to be installed on the corner of Jessie Street and Cutland Street as the illumination of signs could lead to light shining into habitable space, to the detriment of residential amenity. The proposed sign would have a level of illuminance of 44.8cd/m². Given Highway Services would approve a maximum level of 600 cd/m², the level of illuminance proposed would be considered low and would not be considered to give rise to adverse effects as suggested by the neighbour. Further conditions would be placed on any approval granted to ensure the signs were kept in a good condition and the level of illuminance was restricted. In addition, the rear window of the complainant would be sited approximately 24 metres from the proposed sign, in which the distance would help reduce any adverse impacts. As such, any impact to the complainant would not be considered adequate to warrant a refusal on the scheme.

The signs are considered acceptable in form, size, appearance and location given the signs would add architectural interest to the bulky dark grey cladding and would allow customers to easily identify the shop and the entrance to the unit, pursuant with part 2(a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

Public Safety

Each of the proposals comply with MCC recommendations, and Highway Services have confirmed that the siting of the proposed signage is acceptable, in highway and operational terms. The proposed luminance of the signs is noted as 44.8cd/m², which is in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways. An informative relating to highway arrangements would be placed on any approval granted. As such, the proposal is considered pursuant with the Town and Country Planning (Control of Advertisements) Regulations 2007 part 2(b), related to public safety.

Conclusion

The proposed signage is considered suitably related to the streetscene and context, in terms of the advertisements' height and siting and are therefore considered to be commensurate with National Planning Policy Framework (NPPF), the Town and Country Planning (Control of Advertisements) Regulations 2007, saved policies DM1 and SP1 of the Manchester Core Strategy and saved policies DC15.1, DC15.2 and DC15.3 of the Unitary Development Plan for the City of Manchester.

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

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:

-Application Form, stamped as received by the City Council, as Local Planning Authority on 25 September 2023.

-Drawing- Proposed- Front and Side Elevations, stamped as received by the City Council, as Local Planning Authority on 25 September 2023.

-Photo (x2), stamped as received by the City Council, as Local Planning Authority on 25 September 2023.

-Drawing- Proposed- Section Drawing to Show the Projection of Signage, stamped as received by the City Council, as Local Planning Authority on 13 December 2023.

-Drawing- Site Plan- Showing Position of Signage, stamped as received by the City Council, as Local Planning Authority on 13 December 2023.

-Supporting Information- Further Information on Materials, stamped as received by the City Council, as Local Planning Authority on 2 February 2024.

-Photo- Signs to be Installed, numbered 1, stamped as received by the City Council, as Local Planning Authority on 2 February 2024.

-Photo- Signs to be Installed, numbered 2, stamped as received by the City Council, as Local Planning Authority on 2 February 2024.

-Photo- Signs to be Installed, numbered 3, stamped as received by the City Council, as Local Planning Authority on 2 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 maximum luminance level of the advertisements hereby approved shall not exceed 600cd/m².

Reason - In the interests of pedestrian/highway safety and residential amenity enjoyed within the vicinity of the site, pursuant to policy DM1 of the Manchester Core Strategy.

Informatives

1) The fascia signs comply with headroom and carriageway clearance requirements. 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
Environmental Health

Flat 3, 2A Thorp Road, Manchester, M40 5BJ
Flat 2, 2A Thorp Road, Manchester, M40 5BJ
Flat 1, 2A Thorp Road, Manchester, M40 5BJ
2 Thorp Road, Manchester, M40 5BJ
Funeral Parlour, 879 Oldham Road, Manchester, M40 2EE
First Floor Flat, 879 Oldham Road, Manchester, M40 2EE
First Floor Flat, 881 - 883 Oldham Road, Manchester, M40 2EE
Flat B, 897 Oldham Road, Manchester, M40 2EE
Flat A, 897 Oldham Road, Manchester, M40 2EE
889 Oldham Road, Manchester, M40 2EE
1 Cutland Street, Manchester, M40 2EA
Saxon Solicitors, Ground Floor, 879 Oldham Road, Manchester, M40 2EE
881 - 883 Oldham Road, Manchester, M40 2EE
895 Oldham Road, Manchester, M40 2EE
16 Cutland Street, Manchester, M40 2EA
893 Oldham Road, Manchester, M40 2EE
891 Oldham Road, Manchester, M40 2EE
887 Oldham Road, Manchester, M40 2EE
885 Oldham Road, Manchester, M40 2EE

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 - Not Affected