

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136800/AO/2023

Date registered valid: 20 June 2023

Proposal: Installation of fascia signage with halo illuminated letters and freestanding internally illuminated sign.

Address: Northern Lawn Tennis And Squash Club , Palatine Road, Manchester, M20 3YA

Ward(s): Didsbury West Ward

Applicant: Mr Paul Evans, Hartbrights

Agent (if any): Mr Paul Evans, Hartbrights Sign Solutions

Case officer: Holly Wright
Tel: 0161 219 6381
Email: holly.wright@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 04 December 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 7 July 2023

Standard consultations: Printed: 29 June 2023 Expired: 20 July 2023
Printed: 10 November 2023 Expired: 01 December 2023

Neighbour notifications: Printed: 29 June 2023 Expired: 20 July 2023
Printed: 10 November 2023 Expired: 01 December 2023

Site notice: Posted: 7 July 2023 Expired: 28 July 2023

Press advert: Published: 4 July 2023 Expired: 18 July 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building/area

Listed building: Not applicable

Conservation area: Blackburn Park Conservation Area 1979

Tree Preservation Order: Not applicable

The application relates to the Northern Lawn Tennis & Squash Club located to the south of the junction of Palatine Road and Lapwing Lane with access available via Palatine Road through a set of double metal gates which lead onto a driveway to the club house and its associated grounds. The site is bounded to the northeast by the Metrolink tramline, whilst its southeast, southwest and northwest boundaries predominantly share borders with a range of residential properties. To the northwest, on the opposite side of Palatine Road, is a former public house car park; now a cleared site earmarked for residential development. The application relates specifically to the plot's front boundary sited along Palatine Road, which comprises a low-level redbrick wall which is interspersed by redbrick piers and infilled within black iron railings topped with gold arrow finials.

The application site is situated on the northern outskirts of the Blackburn Park Conservation Area, which was first designated in 1979. This area originally consisted of open fields which surrounded a single large, detached property, Parkfield House, owned by Charles Blackburn. Over time, Blackburn sold limited portions of land, with plots large enough to accommodate three to four houses only, thus explaining the varied form of development currently extant in the park. Blackburn Park is principally an area of large family houses with spacious gardens, arranged along tree-lined roads which criss-cross the level ground of the park. Most of the houses within the Conservation Area remain largely in their original form, with earlier properties generally being larger than later ones. Some houses have been built in later years, mainly on sites made vacant by demolition, and these for the most part have been in-keeping with the character of the Conservation Area.

Blackburn Park is a prosperous residential area in the south of the city, and development control is aimed at maintaining this prosperity as well as the quality of the environment.



Figure 1. Proposed site of development.



Figure 2. Proposed site of development.



Figure 3. Proposed site of development.

Description of development

The applicant is seeking permission for the installation of 1no. freestanding internally illuminated sign with halo illuminated letters.

Consultations & Notification Responses

Local residents, as per appendix 1 – no comments or objections received.

Highways Services made the following comments in response to the application:

- The proposed sign is not located on the adopted highway network.
- The proposed sign extends to a maximum projection of 0.05m over an area of private land and therefore does not project over the adopted highway. As such, a Projection over License will not be required.
- The proposed luminance of the sign is noted as 200 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Lighting Engineers with Institute of Lighting Professionals.
- The proposed signage complies with headroom clearance and carriageway clearance requirements.

West Didsbury Residents' Association – no comments or objections received.

Blackburn Park Conservation Society – no comments or objections received.

Policies

The following policies are considered relevant in the consideration of this application.

Unitary Development Plan (UDP) – The UDP has been superseded by the Core Strategy Development Plan, but certain policies are still considered of relevance:

- Policy DC15 – Advertisements, hoardings, and posters
- Policy DC18 – Conservation Areas

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy DM1 – Development Management
- Policy SP1 – Spatial Principles
- Policy EN3 – Heritage
- Policy EN1 – Design Principles and Strategic Character Areas

The National Planning Policy Framework (NPPF, 2021)

- Chapter 7 – Ensuring the Vitality of Town Centres
- Chapter 12 – Achieving Well-Designed Places
- Chapter 16 – Conserving and Enhancing the Historic Environment

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.

For reasons to be outlined below, it is considered that the proposal conflicts with the principles of these policy documents.

Issues

Principle – The principle of installing 1no. freestanding internally illuminated sign with halo illuminated letters to advertise and denote the name of a business, sports and recreational facility, is generally acceptable where there is no overriding unduly harmful impact upon either the character and visual amenity of the area or public safety in and around the site.

In this instance however, the principle of the proposal is considered unacceptable as it is believed that there are factors of sufficient weight in terms of visual amenity and harm caused to the character of the conservation area that would warrant the refusal of this application.

On balance, the proposal is deemed to conflict with saved policies DC15, and DC18 of the UDP, policies DM1, SP1 and EN3 of the Core Strategy and chapters 12 and 16 of the NPPF.

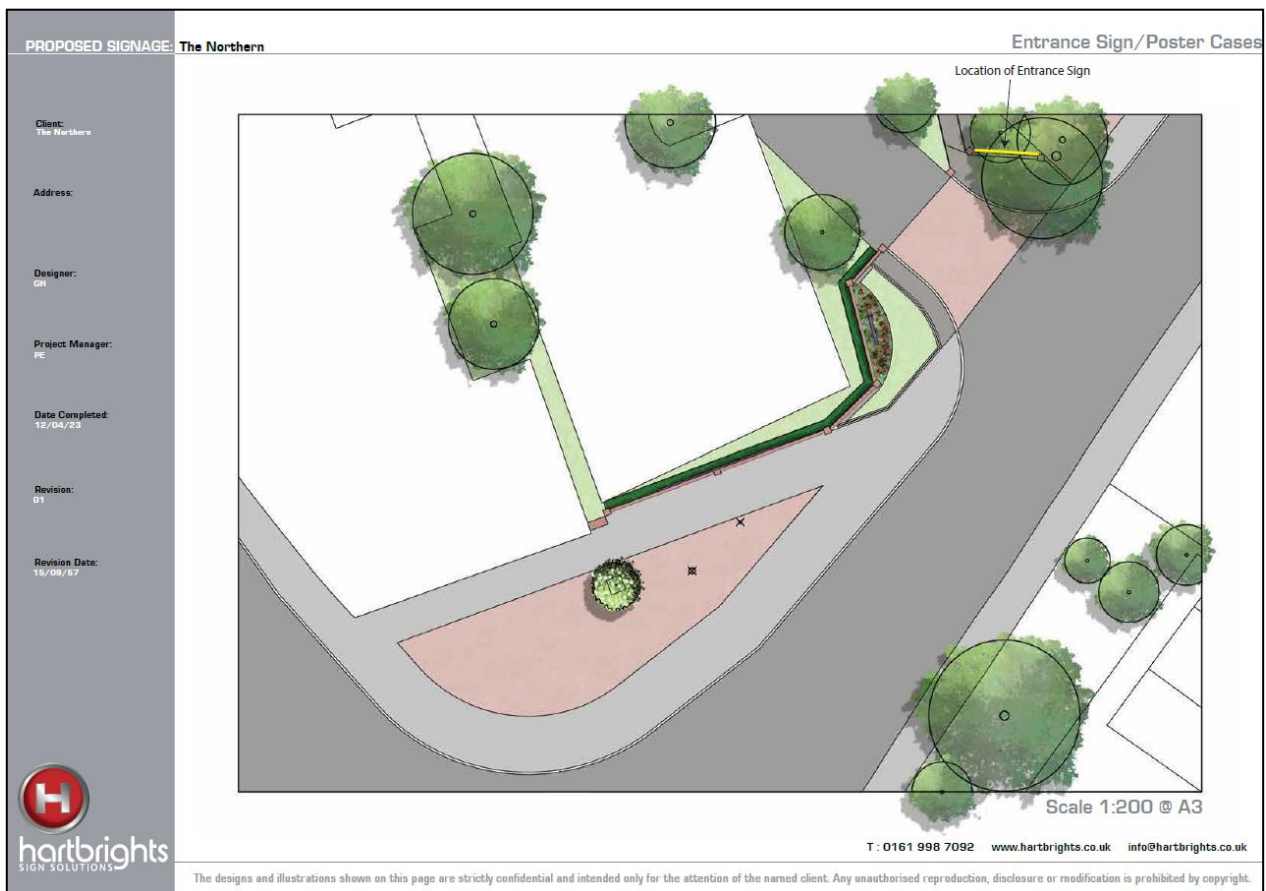


Figure 4. Submitted proposed location plan.

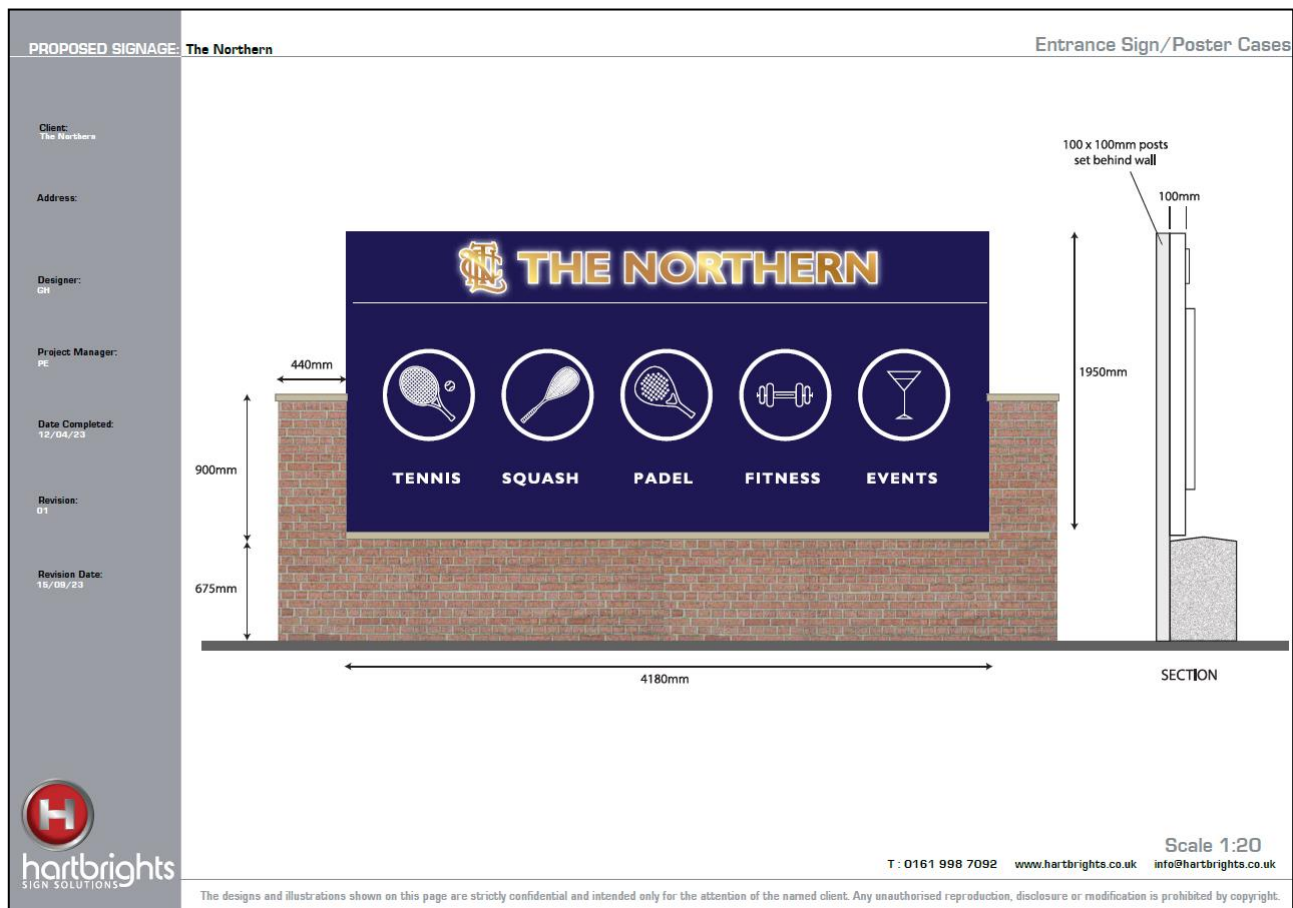


Figure 5. Submitted proposed signage.

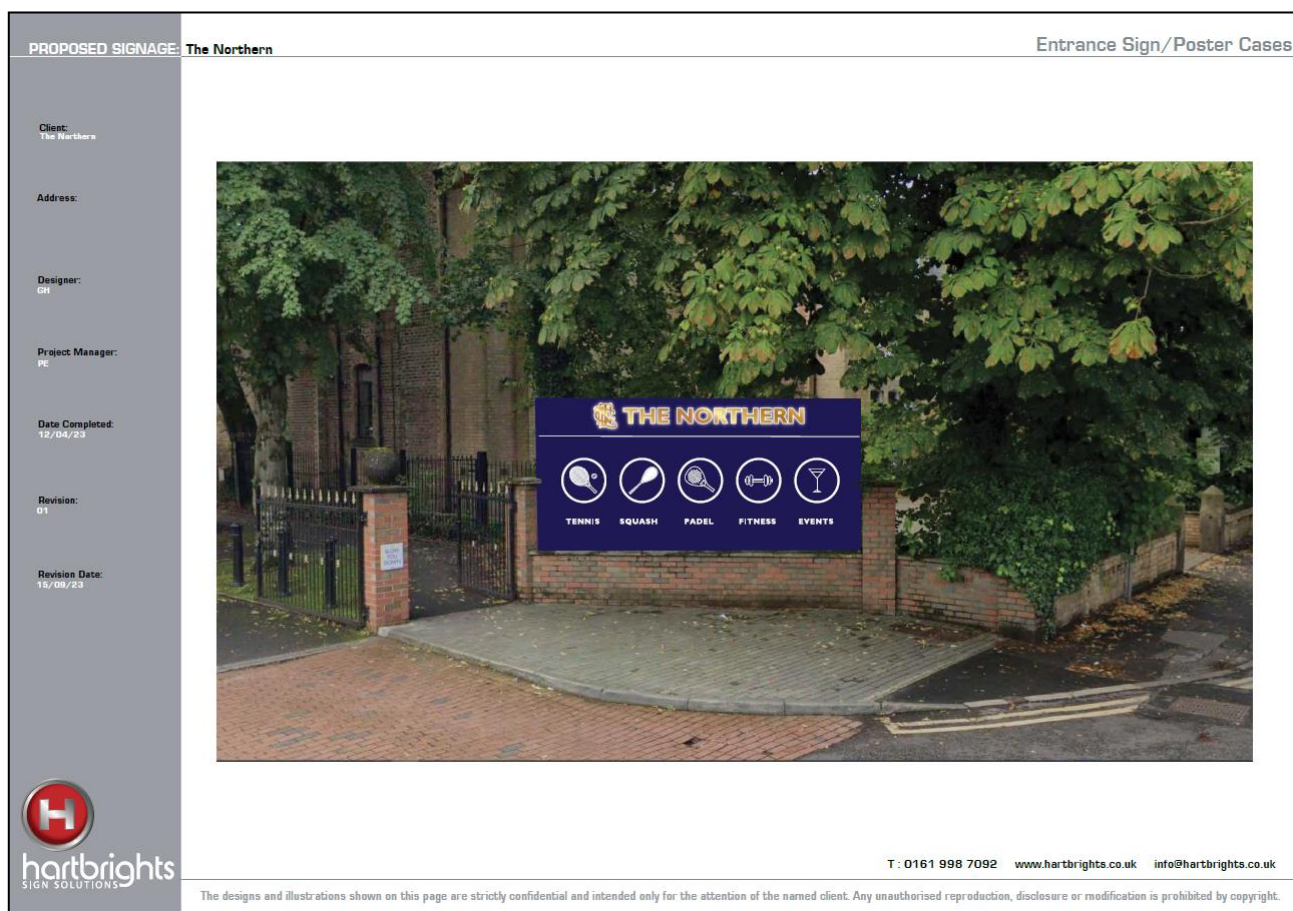


Figure 6. Submitted proposed signage.

Visual amenity and impact upon the Blackburn Park Conservation Area – the proposed freestanding sign would be sited adjacent to the vehicular access point to Northern Lawn Tennis Club (leading off Palatine Road), facing north. The signage would consist of an aluminium composite sheet finished in blue with inlaid Perspex text and icons, finished in gold leaf, with LED halo illumination with static illuminance levels of 200c/m². The base of the sign would be sited 0.6m above ground level, with the sign itself measuring to 1.95m in height, 4.18m in width, and 0.15m in depth. The sign would be fixed to posts measuring to 0.1m by 0.1m, which would be set behind the existing brick boundary treatment.

Whilst the overall design and appearance of the signage is considered to be acceptable in isolation, its effect upon the visual amenity of its surroundings and its impact upon the Blackburn Park conservation area is not. It is considered that the internally illuminated elements of the proposal, and the removal of the existing black iron railings present on site, would introduce a visually incongruous feature to the conservation area, which would cause unnecessary visual harm and detract from its special architectural and historic interest.

The applicant and their agent were notified of the above concerns during initial negotiations of the scheme during which the case officer indicated that any signage at this location should be externally illuminated only and should allow for the retention of the existing railings / boundary treatment present on site. The applicant and their agent subsequently chose to amend the scheme to omit the LED screen that was originally included; however it is clear that the revised scheme does not adequately address nor adhere to the case officer's recommendations and guidance. In their correspondence, the agent indicated that the sign's halo illumination would be 'more subtle and complimentary to the logo aesthetic', whilst the railings would 'be removed to match the opposite side of the boundary wall, where the railings have already been taken out'.

These views have been taken into account; however it is believed that the halo illuminated letters would still cause unnecessary and unwarranted visual harm to the area due to the sign's prominent siting adjacent to the highway. Moreover, it should be noted that the previously removed railings on the opposing side of the vehicular access do not provide justification for the proposed railings being removed as it is considered that high quality or visually appealing boundary treatments, sited within conservation areas, should be retained where possible.

The proposed development therefore conflicts with Core Strategy policies SP1, DM1, EN1 and EN3 as well as policies DC15 and DC18 of the UDP and chapters 12 and 16 of the NPPF as its impact upon visual amenity within the Blackburn Park conservation area is considered to be unnecessary and unwarranted.

Public safety – the proposed signage would be sited a reasonable distance away from the public highway and footpath, within the grounds of the Northern Lawn Tennis Club. It would have static illuminance levels of 200 cd/m², which accords with Highways' guidance. Therefore, it is considered that the proposal will not harm public safety in and around the site.

Conclusion – for the reasons specified above, it is considered that, overall, the proposal is unacceptable due to its detrimental impact upon the Blackburn Park conservation area, and its associated visual amenity. The applicant and their agent were informed of the above concerns with further guidance administered. Policy EN3 states that the City Council will 'encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods' whilst also 'preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains'. This proposal however is considered to cause undue harm to the visual amenity of the Blackburn Park conservation area and its character, thus acting against the principles set out in the

aforementioned policies, hence the proposal cannot be supported by the City Council. The applicant chose to amend the original scheme; however the revised proposal does not adequately address the case officer's initial concerns.

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 proposal, by reason of its internally illuminated components, removal of the site's existing boundary treatment, and siting in a prominent position, adjacent to the public highway, in a conservation area, would detract from the designated heritage asset, causing unnecessary visual harm and detriment to the special architectural and historic interest of the Blackburn Park Conservation Area.

As such, the proposal is contrary to policies DM1, SP1 and EN3 of the Manchester Core Strategy, saved Unitary Development Plan policies DC15 and DC18 and chapters 12 and 16 of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
West Didsbury Residents Association
Blackburn Park Conservation Society

Flat 2, 44 Lapwing Lane, Manchester, M20 2WR
Flat 1, 44 Lapwing Lane, Manchester, M20 2WR
42 Lapwing Lane, Manchester, M20 2WR
Flat 2, 111A Lapwing Lane, Manchester, M20 6UR
Flat 1, 111A Lapwing Lane, Manchester, M20 6UR
99A Lapwing Lane, Manchester, M20 6UT
91 Lapwing Lane, Manchester, M20 6UR
105 - 107 Lapwing Lane, Manchester, M20 6UR
95 Lapwing Lane, Manchester, M20 6UR
Flat 2, 35 Ballbrook Avenue, Manchester, M20 3JG
109A Lapwing Lane, Manchester, M20 6UR
Craig House, 33 Ballbrook Avenue, Manchester, M20 3JG
Flat 1, 35 Ballbrook Avenue, Manchester, M20 3JG
Flat 9, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 6, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 4, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 2, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 16, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 14, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 12, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 10, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
113A Lapwing Lane, Manchester, M20 6UR
109 Lapwing Lane, Manchester, M20 6UR
West Didsbury Post Office, 99 Lapwing Lane, Manchester, M20 6UT
93 Lapwing Lane, Manchester, M20 6UR
113 Lapwing Lane, Manchester, M20 6UR
Flat 13, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 10, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 8, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 6, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 3, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 1, The Rossett, 123 Palatine Road, Manchester, M20 3YA
103A Lapwing Lane, Manchester, M20 6UR
115A Lapwing Lane, Manchester, M20 6UR
105A Lapwing Lane, Manchester, M20 6UR
Flat 2, 99 Lapwing Lane, Manchester, M20 6UR
Flat 1, 99 Lapwing Lane, Manchester, M20 6UR
119 Palatine Road, Manchester, M20 3YA
Flat 1, 119 Palatine Road, Manchester, M20 3YA
Flat 8, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 7, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 5, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 3, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 18, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 17, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 15, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 13, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 11, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA

Flat 1, The Residence, 116 - 118 Palatine Road, Manchester, M20 3ZA
Flat 7, 119 Palatine Road, Manchester, M20 3YA
Flat 6, 119 Palatine Road, Manchester, M20 3YA
Flat 5, 119 Palatine Road, Manchester, M20 3YA
Flat 4, 119 Palatine Road, Manchester, M20 3YA
Flat 3, 119 Palatine Road, Manchester, M20 3YA
Flat 2, 119 Palatine Road, Manchester, M20 3YA
107A Lapwing Lane, Manchester, M20 6UR
Wren House, 108 Palatine Road, Manchester, M20 3ZA
111 Lapwing Lane, Manchester, M20 6UR
103 Lapwing Lane, Manchester, M20 6UR
101A Lapwing Lane, Manchester, M20 6UR
101 Lapwing Lane, Manchester, M20 6UR
97 Lapwing Lane, Manchester, M20 6UR
115 Lapwing Lane, Manchester, M20 6UR
Flat 14, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 12, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 11, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 9, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 7, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 5, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 4, The Rossett, 123 Palatine Road, Manchester, M20 3YA
Flat 2, The Rossett, 123 Palatine Road, Manchester, M20 3YA
114 Palatine Road, Manchester, M20 3ZA
121 Palatine Road, Manchester, M20 3YA

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 - Blackburn Park Conservation Area 1979
Area Team Boundary - Name: SOUTH AREA