

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137099/AO/2023

Date registered valid: 25 June 2023

Proposal: Installation of 1no. noticeboard sign attached to existing gate.

Address: The Old Bake House, 13 Eastwood Road, New Moston, Manchester, M40 3TE

Ward(s): Moston Ward

Applicant: Mrs Catherine Stryczek, The Old Bake House

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 22 September 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 11 July 2023

Standard consultations: Printed: 29 August 2023 Expired: 19 September 2023

Neighbour notifications: Printed: 29 August 2023 Expired: 19 September 2023

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/area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The application relates to a detached standalone redbrick building which is accessible via a narrow, gated alleyway leading off Eastwood Road in the Moston ward of Manchester. The application site features a considerable set back from the highway, located away from the main thoroughfare, nestled between the residential properties of Moston Lane East, Eastwood Road, and Bannatyne Close. The building is thought to have been erected in the 1930s, operating as a bakehouse (Class B1) until 2012, whence it became derelict and disused. In recent years however, the building has been allocated its own address point and has been renovated, allowing its conversion into a small café (Class E) under permitted development regulations. The café as it now stands features indoor and outdoor seating areas as well as external decorations, which include a large timber pergola located against the plot's southern boundary and strips of flagged bunting.

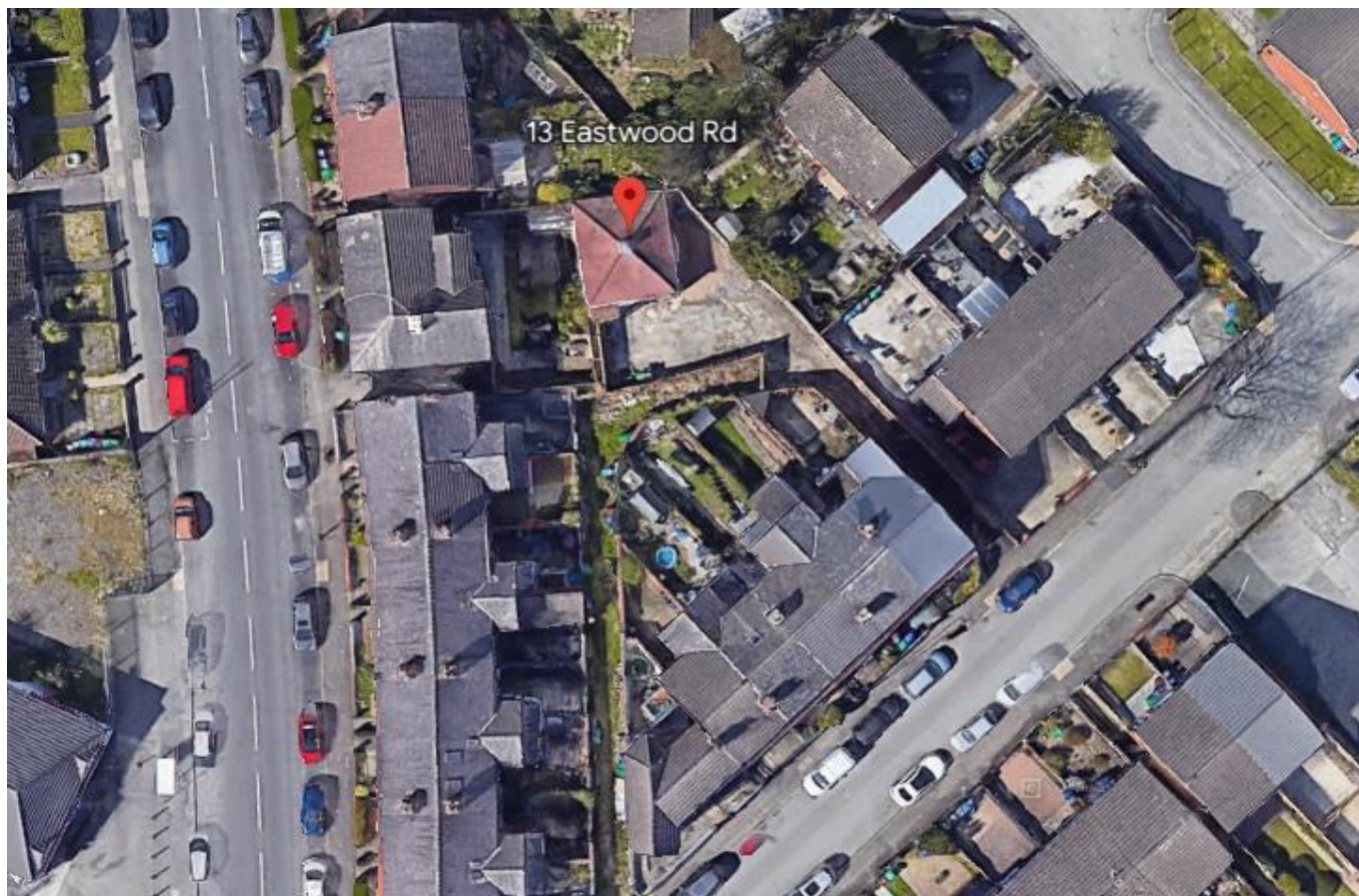


Figure 1. Excerpt from Google Earth.



Figure 2. Entrance to café.



Figure 3. Access route to café.



Figure 4. Surrounding context.



Figure 5. Surrounding context.

Description of development

The applicant is seeking permission for the installation of 1no. noticeboard sign attached to existing gate.

Planning History

104930/FO/2014/N1 - Erection of one single storey unit to form 2 individual storage units, following demolition of existing building – **APPLICATION WITHDRAWN** (03.04.2014).

121965/FO/2018 - Change of use of existing building (Class B1) to form two bedroom dwellinghouse (Class C3) including elevational alterations – **APPLICATION WITHDRAWN** (22.07.2019).

Consultations & Notification Responses

Comments received in response to the scheme as it was originally submitted (installation of 1no. overhead letter sign and 1no. noticeboard sign):

Seven letters of objection were received from five local residents. Their concerns are summarised as follows:

- The café attracts significant vehicular traffic to an already congested residential street. Parking is an ongoing issue in the area as customers frequently block the driveways of local residents as the café itself does not possess its own parking facilities. The proposed signage would attract more customers to the area which would exacerbate the existing traffic and parking issues along Eastwood Road.
- The café causes daily disturbances for local residents who live in the surrounding properties. Customers frequently cause issues associated with noise and loss of privacy as the café is set back from Eastwood Road, nestled between the private rear gardens of the surrounding residential properties. Due to its siting, the café offers intrusive views into the rear windows and gardens of neighbouring properties. Further promotion of the business will contribute to these daily disturbances.
- Concerns relating to the positioning of the proposed signage and potential lack of permission from relevant landowners.
- The café already features numerous promotional materials including signs hung on the fence, A-frames, and banners attached to parked vehicles. The proposed signage is therefore unnecessary.
- The proposed signage will negatively affect the visual amenity of the area, to the detriment of the appearance of the street scene.
- The proposed signage would be visible from the rear windows of the surrounding residential properties. It would project above the existing fence lines in the area, creating an eyesore for local residents.
- The proposed signage would not be in-keeping with the residential character of the area.
- The café causes litter and rubbish to accumulate in adjacent gardens.
- Consent was never sought from neighbouring residents before opening the café.
- The café attracts strangers into the area, which is a danger to young children.
- The café is inappropriately sited between and behind residential properties.
- The existing lighting poses issues for neighbouring occupiers.

One letter of support was received from one local resident. Their comments are summarised as follows:

- The Old Bakehouse provides a much-needed service to the local community.
- It would be prudent for signage to be allowed to help promote and advertise the business.

Highways made no objection to the proposal.

Comments received in response to the revised scheme (installation of 1no. noticeboard sign attached to existing gate):

Two letters of objection was received from two local residents. Their concerns are summarised as follows:

- Concerns relating to the positioning of the proposed signage and potential lack of permission from relevant landowners.
- Concerns relating to the additional volume of traffic that the signage would cause to an already congested road. No space for parking, customers frequently block the driveways of local residents. Additional signage would exacerbate these issues, negatively impacting the enjoyment of nearby residents.
- Poorly designed signage which would not improve the situation. An A-board sign would be more appropriate.

Highways made no objection to the proposal.

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

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 EN1 – Design Principles and Strategic Character Areas

The National Planning Policy Framework (NPPF, 2021)

- Chapter 12 – Achieving Well-Designed Places

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. noticeboard sign to advertise and denote the name of a business is acceptable, however consideration must be given to the proposal’s impact upon existing levels of visual amenity and public safety.

Appearance and visual amenity – the proposed noticeboard sign would be fixed to the existing timber gate panels located at the end of the access route / shared alleyway, at the entrance to the café, facing southeast. It would comprise of 4mm thick aluminium composite panelling with a dusky pink background and lettering / symbols in Arial Black / dark grey front (maximum: 30cm in height). The base of the sign would be sited 0.32m above ground level, with the sign itself measuring to 1.5m in height, 1.5m in width, and 0.004m in depth.

The amended design of the proposal is considered to be notably more acceptable and appropriate than the scheme as it was initially submitted, which included one overheard sign and one noticeboard sign. This is predominantly due to its new positioning below the existing fence lines which border the adjacent residential plots. It is believed that the proposed signage would avoid forming a visually intrusive or overbearing feature for residents whose properties surround the application site as it would be largely screened from view by the existing boundary treatment.

Thus, considering the characteristics of the signage as well as its clear relevance to the site, the proposal is not considered to cause substantial harm to the visual or aural amenity of the area as the signage is relatively standard in terms of its design and scale, is in an acceptable position in regard to its distance and relationship with Eastwood Road and the surrounding residential plots and would be more mindful and sympathetic of the overarching residential character of the area.

The proposal is therefore considered acceptable due to its accordance with policy DC15 of the UDP as well as Core Strategy policies SP1 and DM1.

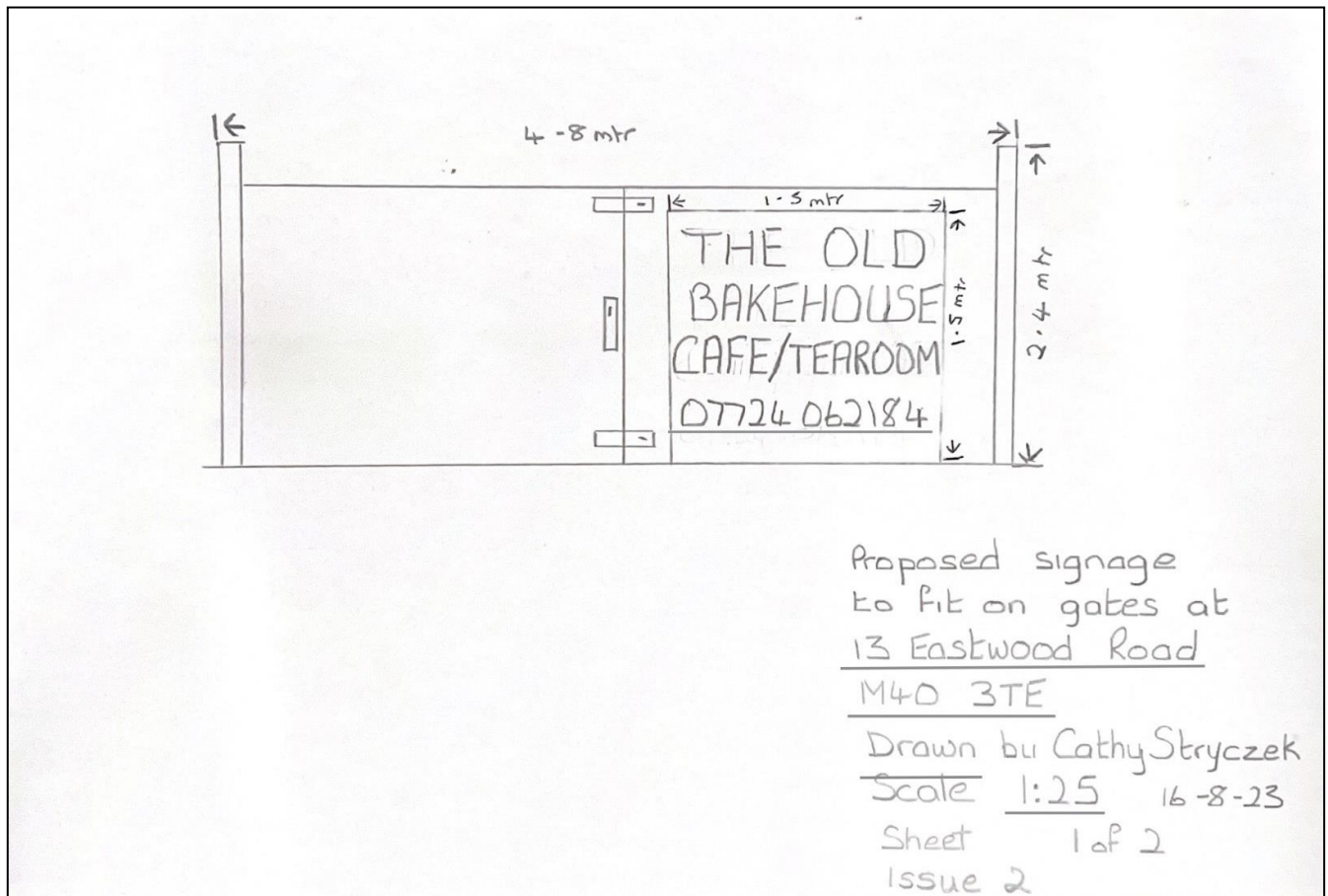


Figure 6. Submitted proposed signage details.

Public safety – the proposed signage would be sited a reasonable distance away from the public highway with no illuminative features. Highways made no objection to the proposal. As such, it is considered that the proposal would not harm public safety in and around the site.

Other matters – in their objection letters, a number of local residents raised concerns relating to the proposal's potential to attract further customers to the café, thereby exacerbating the existing vehicular congestion and parking issues present along Eastwood Road, the noise disturbance and privacy issues experienced by neighbouring occupiers, and the accumulation of café refuse in adjacent residential gardens. These are not material considerations that can be assessed by the Council's planning department as these concerns relate to the site's use as a café, which is lawful under permitted development regulations, rather than the proposed signage itself.

Concerns were also raised in relation to the applicant obtaining the relevant permission from the appropriate landowners. This is not a material consideration that can be assessed by the Council's planning department.

Conclusion – given the above issues, it is considered that the signage is acceptable in terms of its impact upon visual amenity and public safety in accordance with policies SP1, DM1, and EN1 of the Core Strategy, policy DC15 of the UDP, and chapter 12 of the NPPF.

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

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 details submitted in the following documents:

- Revised drawing labelled 'Proposed signage to fit on gates at 13 Eastwood Road, M20 3TE', stamped as received by the City Council as Local Planning Authority on the 29th August 2023.
- Applicant emailed correspondence dated to the 30th August 2023.

Reason - To ensure the development is carried out in accordance with the approved plans, pursuant to Policies SP1 and DM1 of the Core Strategy

Appendix 1 – List of consultees & neighbours notified

Highway Services

126 Moston Lane East, Manchester, M40 3QL
128 Moston Lane East, Manchester, M40 3QL
9 Eastwood Road, Manchester, M40 3TE
5 Eastwood Road, Manchester, M40 3TE
3 Eastwood Road, Manchester, M40 3TE
11 Eastwood Road, Manchester, M40 3TE
17 Eastwood Road, Manchester, M40 3TE
12 Eastwood Road, Manchester, M40 3TF
6 Eastwood Road, Manchester, M40 3TF
8 Eastwood Road, Manchester, M40 3TF
18 Eastwood Road, Manchester, M40 3TF
10 Eastwood Road, Manchester, M40 3TF
21 Eastwood Road, Manchester, M40 3TE
19 Eastwood Road, Manchester, M40 3TE
Old Bake House, 13 Eastwood Road, Manchester, M40 3TF
18A Eastwood Road, Manchester, M40 3TF
7 Eastwood Road, Manchester, M40 3TE
130 Moston Lane East, Manchester, M40 3QL
1 Eastwood Road, Manchester, M40 3TE
3 Bannatyne Close, Manchester, M40 3TD
1 Bannatyne Close, Manchester, M40 3TD
16A Eastwood Road, Manchester, M40 3TF
16 Eastwood Road, Manchester, M40 3TF
14A Eastwood Road, Manchester, M40 3TF
14 Eastwood Road, Manchester, M40 3TF

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Historic Landfill Site 250m Buffer -
Area Team Boundary - Name: NORTH AREA