

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138039/AO/2023

Date registered valid: 8 September 2023

Proposal: Installation of two internally illuminated projecting signs, two internally illuminated fascia signs and two illuminated window signs and associated window vinyls.

Address: Pizza Hut, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG

Ward(s): Didsbury East Ward

Applicant: Soul Foods Group Limited

Agent (if any): Mr Richard Hindle

Case officer: Katie Raw
Tel: 0161 234 4164
Email: katie.raw@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 2 November 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 27 September 2023

Standard consultations:

Printed: 29 September 2023

Expired: 20 October 2023

Neighbour notifications

Printed: 15 September 2023

Expired: 6 October 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

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

Description of area

The application site relates to Pizza Hut within the Didsbury East ward of south Manchester. The application site relates to the recently closed restaurant sitting within the Parrswood Entertainment Centre, with the property looking onto the Kingsway (A34). The front elevation of the property consists of glazed windows and double doors and blue cladding sits above the windows, seen across the whole of the front elevation of the Parrswood Entertainment Centre. The existing Cineworld internally illuminated signs sit above the previous Pizza Hut projecting sign (fixing holes still visible at the time of the site visit).

The Parrswood Entertainment Centre is characterised by the Cineworld Cinema (Didsbury), Ten Pin bowling, Nuffield Health Gym and a range of restaurants including the recently opened Wagamama's.

Description of development

The current application has been submitted alongside an accompanying application- 138038/FO/2023- Pizza Hut- Installation of new shop fronts in association with the sub-division of existing restaurant into two units; provision of external seating areas to both units (validated 8 September 2023- yet to be determined).

The current application seeks advertisement consent to display advertisement in relation to the installation of two internally illuminated projecting signs, two internally illuminated fascia signs and two illuminated window signs and associated window vinyls.

The signage would display adverts for the newly created 2 no. restaurants- KFC and Taco Bell - as per the full planning application-138038/FO/2023.

The two internally illuminated projecting signs would each project forwards from the face of the building by 1 metre and would be internally illuminated with luminance levels of 600 cd/m². The signs would display the individual companies' logos and business names and would be sited at fascia level.

The two internally illuminated fascia signs would sit at the same level. The KFC fascia sign would involve deep Hardie plank horizontal cladding in timber bark (non-illuminated) and new 0.7 metres high internally illuminated (static) white KFC individual lettering from opal acrylic and a 1.4 metre high colonel bucket sign box. The Taco Bell fascia sign would be set on a non-illuminated deep black RAL 9005 powder coated aluminum fascia backing panel with internally illuminated (static) taco bell individual lettering fabricated from open acrylic front panels and a 1 metre high "bell" sign box. The letters would be halo (static) illuminated using purple lighting. The maximum illuminance levels of the signs would be 600 cd/m².

The two illuminated window signs would sit within the units themselves. Within the proposed KFC restaurant this would involve the insertion of internally illuminated (static and behind glazing) "come on in" sign box above the entrance doors. The window sign within the proposed Taco Bell restaurant would be in the form of an illuminated (static) purple neon effect "tacos" arrow. Both signs would have an illuminance level of 600 cd/m².

The associated window vinyls would include feather graphic ref: EG16 to be applied to internal face of glazing (to KFC unit) and vinyls over the glazing where the new dividing wall is to be erected.

Further details in terms of the measurements and colouration of the individual adverts are given within the application form provided as part of the application.

Planning History

108503/AO/2015/S2- (Pizza Hut) Parrswood Entertainment Centre- Installation of replacement illuminated fascia sign, illuminated projecting sign and two illuminated welcome/information signs.

Approved 12 May 2015.

062241/FU/SOUTH2/01- Pizza Hut Full Service Restaurant- Formation of external seating area at front of restaurant.

Approved 13 August 2001.

Consultations & Notification Responses

Local Residents

Local residents were consulted, and no responses were received.

Highway Services

Highway Services were consulted on the application and provided the following response:
The proposed external signs do not extend over the adopted highway. As such, a Projection Over Licence will not be required.

External signage headroom clearance above the footway is in excess of the 2300mm minimum requirement. All signs are appropriately set-back from the edge of the carriageway.

The luminance of the proposed illuminated signs is noted as 600cd/m² and is therefore in alignment with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

The proposed signs are considered acceptable by Highways.

Environmental Health

Environmental Health were consulted on the application and provided a combined response with the accompanying application 138038/FO/2023.

Environmental Health requested the following information on:

1. Floodlighting/external lighting scheme
2. Hours.
3. Fume.
4. NSE 6 (External plant/equipment/servicing).

Issues

POLICY

The National Planning Policy Framework (September 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 places

Paragraph 126 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. It further states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 136 states that the quality and character of places can suffer when advertisements are poorly sited and designed. It acknowledges that a separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective.

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); which states that all development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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 effects on amenity, including privacy, light, noise, vibration, air quality and road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.

Policy SP1 (Spatial Principles); which sets out the City Council's Core Development Principles and states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: 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.

Policy EN1 (Design Principles and Strategic Character Areas); states that all development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and have regard to the strategic character area in which the development is located.

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:

DC14: 'Shop Fronts & Related Signs'

DC14.1 states:

In determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

DC14.5 states:

A. In the interests of amenity,

- a. signs should not normally be positioned other than at fascia level;
- b. signs should respect the architectural form of buildings and shop frontages;
- c. where no obvious fascia level exists, signs above shopfronts should be in keeping with the scale of the frontage of the building and in particular should not fill the gap between ground floor shop windows and first floor windows;
- d. projecting box signs, or any other type of sign which projects significantly beyond the shopfront, should line up with the associated fascia board. Where this is not the case, such proposals will not be permitted;
- e. the Council will normally permit only one projecting box sign for each shop unit. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs;
- f. fixed canopies mounted above fascia level or which obscure the fascia or shopfront will not normally be permitted, unless within a structural opening;
- g. long canopies which ignore the architectural form of frontages will not normally be permitted.

B. In the interests of public safety,

- h. any sign which is detrimental to the safety of pedestrians or motorists will be refused;
- i. all canopies, blinds and awnings should provide a minimum clearance of 2.3 metres above the footpath.

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.

ISSUES

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

Principle of Development

The applicant site sits within the Parrswood Entertainment Centre. The Centre is characterised by the Cineworld Cinema (Didsbury), Ten Pin bowling, Nuffield Health Gym and a range of restaurants including the recently opened Wagamama's. The proposed signage is commensurate with the commercial nature of the use and uses within the Centre. The use of signage across this elevation of the Centre is mixed- with fascia boards sitting at differing heights and each individual unit having a different arrangement of signage. Most recent approval for signage includes the neighbouring property at Wagamama's (see planning ref: 123542/AO/2019) which included two sets of internally illuminated lettering to fascia, one internally illuminated freestanding totem sign, one digital screen and installation of one internally illuminated projecting sign. Taking into account the previous and surrounding signage along this section of the Centre, the proposed signage is considered similar and sympathetic to the existing pattern of development and is therefore acceptable.

Visual Amenity

The current application seeks advertisement consent to display advertisement in relation to the installation of two internally illuminated projecting signs, two internally illuminated fascia signs and two illuminated window signs and associated window vinyls.

The signage would display signs for the 2 no. newly created restaurants- KFC and Taco Bell- as per the full planning application-138038/FO/2023.

The two internally illuminated projecting signs would each project forwards from the face of the building by 1 metre and would be internally illuminated with luminance levels of 600 cd/m². The signs would display the individual companies' logos and business names and would be sited at fascia level.

The projecting signs would be in keeping with similar signs across this elevation of the Centre, would be of a similar size to one another and would sit at the same height level. The use of colours and logos would be in keeping with the individual businesses and therefore not give rise to any adverse implications in terms of amenity.

The two internally illuminated fascia signs would sit at the same level. The KFC fascia sign would involve deep Hardie plank horizontal cladding in timber bark (non-illuminated) and new 0.7 metres high internally illuminated (static) white KFC individual lettering from opal acrylic and the 1.4 metre high colonel bucket sign box. The Taco Bell fascia sign would be set on a non-

illuminated deep black RAL 9005 powder coated aluminum fascia backing panel with internally illuminated (static) taco bell individual lettering fabricated from open acrylic front panels and a 1 metre high "bell" sign box. The letters would be halo (static) illuminated using purple lighting. Both the letters within the signs would have maximum illuminance levels of 600 cd/m².

The two fascia signs would align with one another and would display the restaurant names of the proposed units. Whilst the colours and fonts of the proposed signs would be different to one another, they would be commensurate to the individual businesses' adverts. There is a precedent of fascia panels throughout this elevation of the Centre and they are therefore considered acceptable.

The two illuminated window signs would sit within the units themselves. Within the proposed KFC restaurant this would involve the insertion of internally illuminated (static and behind glazing) "come on in" sign box above the entrance doors. The window sign within the proposed Taco Bell restaurant would be in the form of an illuminated (static) purple neon effect "tacos" arrow. Both signs would have an illuminance level of 600 cd/m².

The use of the two internal signs would draw customers into the two shops and would be similar to other additional signs seen at neighbouring sites, beyond the use of a fascia sign and projecting sign. Given this stretch of the Centre is characterised by several signs per unit, the additional 1 illuminated sign per unit is not considered to give rise to architectural clutter, not giving rise to any adverse visual/ residential amenity implications.

The associated window vinyls would include feather graphic ref: EG16 to be applied to internal face of glazing (to KFC unit) and vinyls over the glazing where the new diving wall is to be erected.

The extent of the vinyls to be used is minimal and would add interest to the front of the KFC unit. Given the vinyl would be limited in area and a view into the restaurant would still be possible when stood outside, it is not considered to give rise to any adverse visual/residential amenity implications. The vinyl used to help separate the two units would ensure the sub-division of the existing Pizza Hut unit is visible from the primary elevation of the unit and is therefore considered acceptable.

Due to the Unit's siting within the Parrswood Entertainment Centre, there are few residential properties to be impacted by the proposed signage due to the Centre's outlook onto the A34-Kingsway. Although there are flats opposite the unit to the west, they would be sited a substantial distance from the unit (approx. 83 metres) and would therefore not give rise to any adverse amenity implications in terms of the signs' illuminance levels.

Therefore, it is considered that the advertisement proposal would not have a detrimental impact on visual amenity or the character of the built environment.

Public Safety

The proposed signs are not considered to give rise to any public safety concerns. Each of the proposals comply with headroom and carriageway clearance requirements and are not considered to cause a distraction to road, rail or pedestrians. No projection over license would be required for either sign.

All signs which would be illuminated would be static and would have a maximum illuminance level of 600 cd/m². All signs are in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways. A condition restricting the signs' luminance levels of the signage would be placed on any approval granted.

As such, the proposal is considered acceptable in terms of public safety and is therefore pursuant to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, The National Planning Policy Framework and Core Strategy Policy DM1.

Conclusion

On balance it is considered that the proposal is suitably related to the streetscene and context, in terms of the advertisements' height and siting and are therefore considered to be commensurate with Core Strategy policies DM1, EN1 and SP1 and saved UDP policies DC14.5, and NPPF Chapter 12.

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 8 September 2023.
- Drawing- Proposed- Ground Floor General Arrangement Plan, numbered 0000/2023/P100, stamped as received by the City Council as Local Planning Authority on 8 September 2023.
- Drawing- Proposed- External Frontage Elevation, numbered 0000/2023/P211, stamped as received by the City Council as Local Planning Authority on 8 September 2023.

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Megabowl, Parrswood Entertainment Centre, Wilmslow Road, Manchester, M20 5PG
VIRGIN ACTIVE, Unit 8, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Nandos, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Parrswood Entertainment Centre, Wilmslow Road, Manchester, M20 5PG
Cineworld Cinema, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Grosvenor G Casino Didsbury, Parrswood Entertainment Centre, Wilmslow Road, Manchester, M20 5PG
Frankie And Bennys, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Chiqiutos, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG
Burger King, Parrswood Entertainment Centre, Kingsway, Manchester, M20 5PG

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
Area Team Boundary - Name: SOUTH AREA