

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136377/AO/2023

Date registered valid: 28 February 2023

Proposal: Installation of high level internally illuminated signage to Ashton New Road elevation

Address: Market Place, 585 - 591 Ashton New Road, Manchester, M11 4EA

Ward(s): Clayton & Openshaw Ward

Applicant: Mr Stephen Dobie, Loxley Property and Development Ltd

Agent (if any): Mr John Coxon, Emery Planning

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 18 April 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 30 March 2023

Standard consultations:

Printed: 20 March 2023 Expired: 10 April 2023

Neighbour notifications

Printed: 20 March 2023 Expired: 10 April 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

This application relates to a 2-storey flat roof terraced building comprising five ground floor Class E units with flats above. The ground floor comprises shopfronts with a continuous signage fascia concealing roller shutters to individual units. The first floor comprises of brown brickwork punctuated with windows to the respective flats.



Fig.1 - Application property viewed from Ashton New Road.

Description of advertisements

The proposed signage replicates illuminated signage approved as part of a split decision referenced 114956/AO/2017 dated 28 March 2023. The signage would consist of the following:

- i. Individual letters with a maximum height of 900 mm and projection ;
- ii. Static internal illumination to a maximum luminance of 500 cd/m²;
- iii. Positioned 5.5 metres above ground level.

The above details correspond to the previously allowed details.



Fig. 2 – Proposed signage

Site history

- i. 116336/AO/2017 - Refused - 02.08.2017: 581-591 Ashton New Road, Manchester, M11 4EA

Installation of luminated Sign to Buchan Street elevation of building

- ii. 114956/AO/2017 - Application Approved and Refused - 28.03.2017: 585 - 591 Ashton New Road, Manchester, M11 4EA

(1) Installation of internally illuminated individual letter sign at first floor level to front elevation and (2) installation of internally illuminated high level fascia sign on gable elevation

The reason for approval / refusal stated:

The advertisement consent hereby granted only permits the display of Sign 1, installation of internally illuminated individual letter sign at first floor level to front elevation, on the Ashton New Road elevation of the building, and excludes the display of all other signage as shown on the submitted plans, namely sign 2, installation of internally illuminated high level fascia sign on Buchan Street elevation

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC14.1 and E3.3 of the Unitary Development Plan for the City of Manchester.

- iii. 113634/AO/2016 - Application Refused - 30.11.2016: 585 -591 Ashton New Road, Manchester, M11 4EA

Installation of internally illuminated individual letter sign at first floor level to front elevation and installation of internally illuminated high level fascia sign on gable elevation

iv. 092161/FO/2010/N2 - Application Approved - 12.03.2010: 585 - 587 Ashton New Road, Clayton, Manchester, M11 4EA

Installation of an Automated Teller Machine and associated elevational alterations

v. 092162/AO/2010/N2 - Application Approved - 12.03.2010: 585 - 587 Ashton New Road, Clayton, Manchester, M11 4EA,

Installation of illuminated signage to ATM

vi. F16424 - Application Approved - 02.12.1981: Land at rear of, 585-595 Ashton New Road, Clayton,

Erection of a wholesale warehouse unit.

vii. F14045 - Application Approved - 19.08.1980: 585 and 587 Ashton New Road, Clayton, Refurbishment to 2 shops with living accommodation over, including rebuilding of front elevation and 2 storey extensions at rear.

viii. F10248 - Application Approved - 04.04.1979: 591 Ashton New Road, Clayton, Use of shop as a Fish and Chip Shop and Take-away hot foods.

ix. F12020 - Application Approved - 12.12.1979: 589, 591 and 597 Ashton New Road, Clayton,

New shop fronts, rear extensions and renovations to existing shops with living accommodation over.

x. 024518 Application Approved - 04.07.1985: 587, Ashton New Road, Clayton, Illuminated double sided projecting box sign

Consultations & Notification Responses

Local residents – No comments received.

Highways – The following comments have been received:

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

ii. The proposed sign extends for a maximum of 0.3m over the adopted highway, as such, a projection over license will not be required.

iii. The illumination level for the static sign is proposed as 500cdm². This level of luminance is acceptable to Highways as it is within the MCC luminance level maximum of 600cd/m.

iv. All 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

Environmental Health – No objection. The illuminance levels are acceptable.

Issues

Town and Country Planning (Control of Advertisements) Regulations 2007 - States that:

- (1) The Local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account'
 - (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.

It is considered that the illuminated signage would relate satisfactorily to the regulations.

National Planning Policy Framework - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021 and sets out the Government's planning policies for England and how these are expected to be applied. It defines the Government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through 'which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The statutory status of the development plan remains as the starting point for decision making. It states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted. National Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Core planning principles - Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan making and decision-taking with the following specific policies being particularly relevant to the proposed development:

Chapter 12. Achieving well-designed places - 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'. It further states that: 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. With regard to advertisement signage Chapter 12 states: 'the quality and character of places can suffer when advertisements are poorly sited and designed. 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. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts'.

The advertisement display has been assessed with reference to the previous approval, which has not been affected by significant changes to local policy and the design and appearance of the signage remains acceptable. Chapter 12 would therefore be accorded with.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

Advertisements - This section specifically refers to, amongst other things:

- i. Considerations affecting public safety;
- ii. Considerations affecting amenity.

In this case it is considered that the display of signage would not be detrimental to highway safety and / or the amenities of the neighbouring area (subject to a condition managing hours of illuminated display). The relevant aspects of PPG would thereby be accorded with.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the Council on 11th July 2012. It is the key document in Manchester's Local Development Framework. The Core Strategy 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. A number of UDP policies have been saved until replaced by further development plan documents to accompany the Core Strategy. Planning applications in Manchester must be decided in accordance with the Core Strategy, saved UDP policies and other Local Development Documents.' The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the following relevant principles relate to the proposal:

- o Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- o 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.

The appearance and specification of the illuminated signage would not unduly impact upon the character of the streetscene of the setting of the site. The development would not harm the well-being of the neighbouring community subject to its managed operation. On this basis, policy SP1 would be accorded with.

Policy EN 1 Design Principles and Strategic Character Areas - The proposed design would secure the objective of delivering a design that is appropriately related to the character of the surrounding area. It is considered that proposed totem would improve the quality of the existing signage and the proposed level of illumination would be acceptable and managed by condition. The proposed signage would thereby appropriately related to policy EN1.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance with regard to the character of the surrounding area;
- c. Effects on amenity;
- d. Design for health.

For the reasons previously set out above, it is considered that the proposed signage would be satisfactorily related to policy DM1 as it would not be unduly harmful to the character of the streetscene.

Unitary Development Plan saved policies - The following saved policies of the UDP are considered to be relevant:

Policy E3.3 (Upgrade the appearance of radial and orbital routes) - This policy (E3.3) is relevant given the views of the site from Stockport Road, which is a major radial route to and from the City Centre. It is considered that the new signage would not adversely affect the Ashton New Road and would improve the existing circumstance. Policy E3.3 would thereby be accorded with.

Policy DC14 - Shopfronts and related signs

Policy DC14.1 - States that 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 shop fronts, where appropriate, and of the area within which the premises are located.

Policy DC14.5 - States that the advertisement regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In determining such applications, the Council will adopt the following policies:

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;

B. In the interests of public safety,

- h. Any sign which is detrimental to the safety of pedestrians or motorists will be refused.

The above aspects of policy DC14 have been related to the relationship of the signage to the existing building, the context of the site and previous assessment of the proposal. There are no apparent public safety issues associated with the display of the signage in relation to its positioning and height above ground level. The illuminated signage has a limited visual impact its operation would be managed by condition to reduce potential harm to upper floor residents. On balance, the display of signage would accord with policy DC14.5.

Principle - The principle of the proposed signage has been previously established and there has not been a significant change in local circumstance or policy / government guidance that would significantly affect or alter this position.

Height and positioning – The signage would provide a 5.5 metre clearance above ground level. Although the signage would be located above the fascia level, it is considered that use of

individual letters would reduce its impact. The positioning of the signage would also give some identity to the parade and contribute to its sustained operation.

Highways Issues - No objections have been received from Highway Services as no public safety issues would arise. A projection over licence is not required and encroachment of the highway would not occur. The proposed levels of illumination and static signage display would be managed by condition.

Illumination levels - The applicant has provided details relating to signage illumination. For the avoidance of doubt and in response to Highways comments, a condition has been included to ensure that the illumination is related to maximum illuminance level of 500 cd/m² as applied for.

Residential amenity - The nature of the signage would have some visual impact and presence in the streetscene. The application site is not located in a residential area. The proposed design would the form of individual letters allowing characteristic brickwork to remain largely visible. A previously attached condition has been included to manage the impact on upper floor residential uses and only permits the display of an internally illuminated letter name sign installed to the Ashton New Road elevation between the hours of 7.30 am to 10.00 pm. The condition requires that illumination to the signage is switched off between the hours of 10.00 pm and 7.30 am.

Design – The signage would comprise of simply configured individual letters, which is considered to be acceptable due to the limited impact on the composition of the principal elevation of the building.

Conclusion - It is considered that the proposed signage would be proportionate and appropriately related to the surrounding context. The proposed signage, subject to illumination controls secured by condition, would safeguard the amenities of the area. The advertisement signage would appropriately and satisfactorily relate to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester, saved UDP policies DC14.1, DC14.5 and the National Planning Policy Framework.

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

N/A

Condition(s) to be attached to decision for approval

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 must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local planning authority on 28 February 2023:

Application forms for consent to display an advertisement

Location plan with a red edge

Covering letter from Emery Planning Ref:16-489 dated 23 February 2023

Before and after elevation visuals.

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 for the City of Manchester.

4) The advertisement consent hereby granted only permits the display of an internally illuminated letter name sign, on the Ashton New Road elevation of the building, between the

hours of 7.30am to 10.00pm. The illumination of the signage shall be switched off between the hours of 10.00 pm and 7.30am.

Reason - To ensure that the development is carried out in accordance with the approved plans, and in the interests of residential amenity, pursuant to policies SP1 and DM1 of the Manchester Core Strategy for the City of Manchester and saved policies DC14.1 and E3.3 of the Unitary Development Plan.

Informatives

1) 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](mailto:highwaylicences@manchester.gov.uk).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat Above, 582 Ashton New Road, Manchester, M11 4SG
595 Ashton New Road, Manchester, M11 4EA
Top Flat, 589 Ashton New Road, Manchester, M11 4EA
Top Flat, 591 Ashton New Road, Manchester, M11 4EA
Top Flat, 585 - 587 Ashton New Road, Manchester, M11 4EA
586H Ashton New Road, Manchester, M11 4SG
586D Ashton New Road, Manchester, M11 4SG
586A Ashton New Road, Manchester, M11 4SG
589 Ashton New Road, Manchester, M11 4EA
584 Ashton New Road, Manchester, M11 4SG
586C Ashton New Road, Manchester, M11 4SG
586B Ashton New Road, Manchester, M11 4SG
586 Ashton New Road, Manchester, M11 4SG
586E Ashton New Road, Manchester, M11 4SG
585 - 587 Ashton New Road, Manchester, M11 4EA
582 Ashton New Road, Manchester, M11 4SG
591 Ashton New Road, Manchester, M11 4EA

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
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA