

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136695/AO/2023

Date registered valid: 6 April 2023

Proposal: Retention application for internally illuminated ATM sign and halo illumination to the surround.

Address: 229-231 The Fairway, Manchester, M40 3WA

Ward(s): Moston Ward

Applicant: Mr Matthew Collins

Agent (if any): Mr Matthew Collins, Notemachine

Case officer: Adam Mitchell
Tel: 0161 234 4165
Email: adam.mitchell@manchester.gov.uk

Recommendation: APPROVE

Date of recommendation: 31.05.2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 05 May 2023

Standard consultations:

Printed: 26 April 2023 Expired: 17 May 2023

Neighbour notifications

Printed: 26 April 2023 Expired: 17 May 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

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site/Area

The application site relates to a two storey detached building within the Moston Ward, Manchester. The property benefits from amenity space to the front and side with off-street car parking available adjacent to the public highway. The host property's orientation is different to the residential dwellings along the southern side of The Fairway with the front elevation facing a western direction. Directly to the south of the application site is Co-op Academy Broadhurst and residential dwellings encompass the surrounding area.

Description of development

Advertisement consent is sought for the installation of signage associated with the ATM machine currently situated along the front elevation of the ground floor commercial unit of 229-231 The Fairway.

Consultations & Notification Responses

Local residents were notified however no responses were received.

Environmental Health: Had no objections to the proposal.

Highways Services:

The ATM is building mounted and projects by 0.04m, a Projection Over License is not

required.

The forecourt area within the vicinity of the ATM is sufficiently wide so that any queuing for the machine can be accommodated without inconveniencing passing pedestrians.

It is anticipated that the ATM will not cause a significant increase to the level of vehicular trips on the surrounding highway. It is expected that many of the ATM users would arrive on-foot, by sustainable modes or park on-street on the surrounding residential roads.

There is parking space available on-site for the 'Cash In Transit' vehicle for when undertaking servicing of the ATM. It should be noted that all vehicles associated with the site should take into consideration surrounding waiting/loading restrictions.

The illuminated panel associated with the ATM features static internal illumination. The luminance of the signage is stated as 100cd/m² which is considered acceptable.

Policy

The main issues for consideration relate to the impact of the proposals on visual amenity and public safety. The main policies that relate to the proposal are Section 12 (well-designed places) of the National Planning Policy Framework, Policies SP1 (Spatial Principles) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 (Shopfronts and Related Signs) of the Unitary Development Plan for the City of Manchester.

Issues

Visual Amenity

The proposed signage is to be situated along the front elevation of a non-listed building. The size, scale and position of the signage would not be expected to cause undue impact to the amenity of users of the building nor surrounding residents/occupiers. The signage would have a maximum brightness of 100cd/m². It is not expected that the signage at this brightness and position would have undue amenity impact to the surrounding area.

The proposed quality and materials of the signage are acceptable and would have the appearance of a high quality and simple addition to the front elevation of the building.

The proposed signage is thus consistent with saved policy DC14.1 and DC14.5 of the Manchester Unitary Development Plan, and Section 12 of the NPPF.

Public Safety

No issues as the proposed luminance of the signs are no greater than 100cd/m². This is in line with the MCC recommended maximum of 600cd/m² and is acceptable to Highways.

Conclusion

Given the above, it is considered that the signage is acceptable in terms of both visual amenity and public safety in accordance with policies SP1 and DM1 of the Manchester Core Strategy for the City of Manchester and saved policies DC14.1 of the Unitary Development Plan and Section 12 of 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

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, 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:

Drawing: Plan and Elevation

Stamped as received by the City Council as Local Planning Authority on 01.06.2023

Document: Application Form

Document: Design and Access Statement

Stamped as received by the City Council as Local Planning Authority on 06.04.2023

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) Any illuminated signage hereby granted consent shall have luminance limit of 100cd/m2

Reason- In the interests of pedestrian/highway safety and visual amenity, pursuant to policy DM1 of the Manchester Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

225 The Fairway, Manchester, M40 3WA

2 The Links, Manchester, M40 3NU

Top Flat, 229 - 231 The Fairway, Manchester, M40 3WA

231 The Fairway, Manchester, M40 3WA

227 The Fairway, Manchester, M40 3WA

Co-op Academy Broadhurst, Williams Road, Moston, Manchester, M40 0BX

302 The Fairway, Manchester, M40 3NH

239 The Fairway, Manchester, M40 3WA

304 The Fairway, Manchester, M40 3NH

241 The Fairway, Manchester, M40 3WA

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

Historic Landfill Site 250m Buffer -

Historic Landfill Site 250m Buffer -

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: NORTH AREA