MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135510/AO/2022
Date registered valid:	17 November 2022
Proposal:	Installation of non-illuminated wall mounted and pole mounted signage in connection with the installation of ANPR cameras
Address:	Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG
Ward(s):	Didsbury East Ward
Applicant:	Miss Sara Wall, Euro Car Parks
Agent (if any):	
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**11th January 2023**

Application details

Type of application:	Advertisement Consent
Development type:	Advertisements
Date of site visit:	14th December 2022
Standard consultations:	Printed: 6 December 2022 Expired: 27 December 2022
Neighbour notifications	Printed: 6 December 2022 Expired: 27 December 2022
Site notice	Posted: 13 December 2022 Expired: 3 January 2023
Press advert	Published: 13 December 2022 Expired: 3 January 2023
Departure from Development Plan:	No
Environmental Statement:	Not required

Description of site/building

The application site is an extended part 2, part 3-storey detached C19 Grade II Listed building in use as a public house and situated on the south side of Wilmslow Road in the Didsbury St. James conservation area. The building is of brick and white stucco construction with gabled slate roofs, 3no. chimneys along the main ridge and round-headed windows on the front elevation. A section of wall with parapet comes off the left-hand side beyond which is a modern single storey side extension.



Listed building:	Grade II
Conservation area:	Didsbury St James Conservation Area 1970
Tree Preservation Order:	Trees are protected under the Conservation Area.

The building is fronted by a recently completed landscaped area to the back of pavement at Wilmslow Road, works which received planning and Listed Building consent under applications 130897 and 130898.

There are two tarmac surface car parks, one on the eastern side and one at the rear. Access and egress operates on a separate in-out system whereby access is gained from a point to the east and egress from Stenner Lane which is to the west.

Description of area

The site is bounded by Fletcher Moss Park to the east, 3no. residential dwellings and the park beyond to the south, Parsonage Gardens to the immediate west and by an estate of modern dwellings to the north. Didsbury District Centre is located 500 metres to the north. The site is within the heart of the conservation area which has an arcadian character owing to the level of mature tree cover along Wilmslow Road and neighbouring parks and gardens

Description of development

The applicant seeks advertisement consent for the installation of non-illuminated wall mounted and pole mounted signage in connection with the installation of ANPR cameras

Consultations & Notification Responses

Local residents: No representation received as a result of the proposal.

Didsbury Civic Society - No response received as a result of the proposal.

Highways - The signage is located within the car park and private boundary of the site.

SIGN 1 (x2):
The proposed signs are not located on the adopted highway network. The proposed signs extend to a maximum projection of 0.1m over the private car park and does not project over the adopted highway. As such, a Projection over License will not be required.
The proposed signage will not be illuminated. The proposed signage complies with headroom clearance and carriageway clearance
requirements and is therefore compliant with MCC recommendations.

SIGN 2 (x1):
The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.1m over the private car park and does not project over the adopted highway. As such, a Projection over License will not be required.
The proposed sign will not be illuminated. The proposed sign complies with headroom clearance and carriageway clearance requirements and is therefore compliant with MCC recommendations

SIGN 3 (x3):
The proposed signs are not located on the adopted highway network. The proposed signs extend to a maximum projection of 0.1m over the private car park and does not project over the adopted highway. As such, a Projection over License will not be required.
The proposed signage will not be illuminated. The proposed signage complies with headroom clearance and carriageway clearance requirements and is therefore compliant with MCC recommendations.

Policy and Issues

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.

The National Planning Policy Framework (July 2021)

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.

Policy DM1 - Development Management

This policy 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

This policy sets out the City Council's Core Development Principles. It 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

This policy 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:

Policy DC15 - Advertisements, Hoardings and Posters:

In determining applications for free standing hoardings and wall mounted posters the Council will take account of the following matters in assessing these interests:
a. the general location of the proposed development and the effect on visual amenity;
b. the scope for posters and hoardings to make a positive contribution to the locality; c. the design of the structures, and the relationship with any premises on which they are located;
d. the effect of the proposal on permanent redevelopment of the land;
e. public safety resulting from the positioning of the design of the display;
f. the ease with which the structure is capable of being satisfactorily maintained;
g. the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
h. the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development;
i. the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
j. the number of advertisements in the locality and their cumulative effect on visual amenity.
DC15.2 In assessing the interests of amenity and safety the Council will take account of the following criteria:
a. developments of this kind should not harm the character or architectural features of a building, nor interfere with its proper use;
b. they should be in scale with the locality and relate properly to the site on which they stand;
c. they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;
d. a proposal which would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size, or design will not be permitted.
DC15.3 Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect safety and amenity.
Reasons: The Council accept that advertisements can have a positive role in improving the quality of the visual environment in the City - examples are given in policy DC15.2. At the same time, there is the need to maintain public safety, avoid clutter, and safeguard the particular features of buildings or land.

<u>Principle</u>

The siting and display of signage is generally considered to be acceptable in principle. The issues to be considered relate to visual amenity and pedestrian safety of the proposed signage.

History

Applications which have been received at the site and their determination are set out below:

134564/AO/2022 - Application approved - 26.09.2022 - Installation of one illuminated post mounted pictorial sign and three sets of illuminated sign-written fascia signs

133891/LO/2022 - Application Refused - 20.07.2022 Listed Building Consent in association with the Installation of advertisements to include 1x post mounted pictorial sign,2x sets of sign written house name letters, 2x post mounted welcome signs and 1x sign written directional sign, following removal of projecting sign.

133776/AO/2022 - Application Refused - 11.07.2022 Installation of advertisements to include 1x post mounted pictorial sign, 2x sets of sign written house name letters, 2x post mounted welcome signs and 1x sign written directional sign, following removal of projecting sign.

132544/FO/2021 - Application Invalid - Erection of two 4 metre high columns with Automatic Number Plate Recognition (ANPR) Camera

132545/AO/2021 - Application Refused - 04.08.2022 Advertisement consent for the display of 12 no. Non illuminated signs

130898/LO/2021 - Application Approved - 02.09.2021 Listed building Consent for the erection of a single storey side extension to form an external bar and landscaping works to beer garden

130897/FO/2021 - Application Approved - 02.09.2021 Erection of a single storey side extension to form an external bar and landscaping works to beer garden

128135/LO/2020 - Application Withdrawn - 22.12.2020 LISTED BUILDING CONSENT for the erection of a single storey side extension to form external bar, fencing and lighting columns and associated landscaping works.

128134/FO/2020
Application Withdrawn - 22.12.2020 Erection of a single storey side extension to form external bar, fencing and lighting columns and associated landscaping works.

107252/AO/2014/S2 - Application Approved - 15.12.2014 Installation of 2.no non-illuminated 2.28 metre high signboards

093911/LO/2010/S2 - Application Approved - 24.11.2010 LISTED BUILDING CONSENT for the erection of a 700mm high timber fence together with installation of 7 high level lights

093853/FO/2010/S2 - Application Approved - 24.11.2010 Erection of a 700mm high timber fence together with installation of 7 high level lights

083485/FO/2007/S2 - Application Approved - 01.08.2007 Retrospective application for the installation of three 4 metre by 4 metre "jumbrellas" with integral heating and lighting

082552/FO/2007/S2 - Application Approved - 16.05.2007 Extension of 3m by 19m paved terrace

059954/LO/SOUTH2/00 - Application Not Proceeded With - 28.01.2002 LISTED BUILDING CONSENT External alterations to public house including new landscaped area, new barriers to car park, relocated access road and removal of a tree

059953/FO/SOUTH2/00 - Application Not Proceeded With - 28.01.2002 Various external alterations to public house including new landscaped area, new barriers to car park, relocated access road and removal of a tree

066610/LO/SOUTH2/02 - Application Approved - 07.01.2003LISTED BUILDING CONSENT, Landscaping works and installation of 1.8m high boundary railings and re-positioning of access road

066609/FO/SOUTH2/02 - Application Approved - 07.01.2003Landscaping works and installation of 1.8m high boundary railings and re- positioning of access road

043935/AO/SOUTH1/93 - Application Approved - 12.08.1993 Various illuminated signs to public house

043938/LO/SOUTH1/93 - Application Approved - 12.08.1993Listed Building Consent for various illuminated signs to public house.

052127/LO/SOUTH1/97 - Application Approved - 27.11.1997LISTED BUILDING CONSENT Construction of new porch, bay window with extension to form new kitchen and internal alterations after demolition of existing entrance bay

052126/FO/SOUTH1/97 - Application Approved - 27.11.1997Alterations and extensions to public house after demolition of existing entrance bay

053733/LO/SOUTH1/98 - Application Withdrawn - 24.07.2000 LISTED BUILDING CONSENT Landscaping, paving & associated works to area fronting public house, (retrospective).

052232/AO/SOUTH1/97 - Application Not Proceeded With - 21.09.2000 Illuminated wall mounted, hanging and post signs

024989 - Application Approved - 20.09.1985 LISTED BUILDING CONSENT Refurbishment and single storey rear extension at 1st floor level to form new toilets and office, two new fire escapes at rear and new entrance to restaurant on front elevation

025139 - Application Approved - 20.09.1985 a)illuminated halo lit logo sign to front elevation b)two restaurant notice boards to each entrance door at front and side elevations c)illuminated canopy sign to side elevation d)Illuminated free standing directional sign in car park

030657 - Application Refused - 10.03.1988 LISTED BUILDING CONSENT Provision of cast metal bollards to define car parking area

027286 - Application Approved - 17.12.1986 Conversion of club room into offices and living accommodation for staff

024990 - Application Approved - 20.09.1985 Single storey rear extension at 1st.floor level to form new toilets and office, two new fire escapes at rear and new entrance to restaurant on front elevation

053732/FO/SOUTH1/98 - Application Withdrawn - 28.07.2000 Retrospective application for landscaping, paving, illumination, and associated works to land surrounding public house.

Visual amenity

The applicant seeks advertisement consent for the installation of non-illuminated wall mounted and pole mounted signage in connection with the installation of ANPR cameras.

The new post signs will be located in discrete locations around the car park, which has a number of mature hedges, bushes, and trees to its perimeter. The applicant proposes to locate the signs near existing signage posts or lamp posts so as not to visually clutter the leafy backdrop. One of the new signs is proposed to an existing post, whilst three are proposed to a boundary wall and fence. There is no intention to fix any signage to the listed building itself. There is no lighting proposed internal or otherwise.

The new posts proposed will be galvanized metal painted black. and blend into the backdrop more effectively than a galvanized finish. The two set closest to the building will be set on low posts and therefore blend into the building itself, so not to affect the aesthetics of the building or surrounding area.

The 4 new Tariff information and disabled bay signs are proposed with a black background and is considered would blend into the backdrop more effectively than a white and blue background.

Public Safety

Highways are satisfied that the proposed signage will not project over the adopted highway and is therefore considered acceptable.

With regard to headroom and carriageway clearance the signs are compliant with MCC standards.

The advertisement is in keeping with the character of the area and would have no impact on the visual amenity and it is not considered that there would be a risk to public safety. For the above reasons, the signage is considered acceptable within the guidance contained in saved UDP policy DC15 having no detrimental impact on amenity and public safety.

Impact on Didsbury St James Conservation Area

It is considered that the proposed signs would blend in with the existing surroundings and although can be viewed from the main road would not interfere with the existing characteristics of the Conservation Area. Material choice would be an acceptable selection for the Conservation Area.

On balance, it is believed that the proposal would cause less than substantial harm to the designated heritage asset that is the Conservation Area, which would be outweighed by the public benefit, which is considered accords with Core Strategy Policy EN3 and saved Unitary Development Plan policy DC18.

Conclusion

Given the above, the overall appearance of the signage proposal is considered to be consistent with National Planning Policy Framework, in and the Core Strategy for the City of Manchester, in particular Policies DM1, SP1, EN1 and the Saved Policies contained within the Unitary Development Plan for Manchester in particular Policy DC14

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 polices 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:

Received on 17th November 2022 numbered ELE-01 REV 03 Proposed Elevation no. 1
Received on 17th November 2022 numbered ELE-02 REV 01 Proposed Sign Elevations
Received on 17th November 2022 numbered ELE-02 REV 03 Proposed Elevation no. 2
Received on 17th November 2022 numbered ELE-03 REV 03 Proposed Elevation no. 3
Received on 17th November 2022 numbered SIG-04 REV 05 Proposed Signage Plan
Received on 17th November 2022 Design and Access Statement

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Didsbury Civic Society

1 Skylark Close, Manchester, M20 2FQ
3 Skylark Close, Manchester, M20 2FQ
2 Skylark Close, Manchester, M20 2FQ
High Bank, Stenner Lane, Manchester, M20 2RQ
Flat At, Ye Olde Cock Inn, 848 Wilmslow Road, Manchester, M20 2RN
Flat At, Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG
844 - 846 Wilmslow Road, Manchester, M20 2RN
Ye Olde Cock Inn, 848 Wilmslow Road, Manchester, M20 2RN
Fernbank, Stenner Lane, Manchester, M20 2RQ

Appendix 2 – Planning constraints