

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135521/AO/2022

Date registered valid: 18 November 2022

Proposal: Installation of halo illuminated logo and lettering on the south east elevation, south west and north east elevations of the building, vinyl printed logo and lettering to door of the south east elevation, internally illuminated A3 window display posters are proposed on the ground floor windows of the south east and north east elevations and externally illuminated logo and lettering will be displayed on the existing advertising board at the front corner of the site

Address: 108 Palatine Road, Manchester, M20 3ZA

Ward(s): Didsbury West Ward

Applicant: Mr Richard Robinson, Anchorbridge Developments Ltd

Agent (if any): Mr James Walkington, Paul Butler Associates Ltd

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:	6 December 2022
Standard consultations:	Printed: 6 December 2022 Expired: 27 December 2022
Neighbour notifications	Printed: 1 December 2022 Expired: 22 December 2022
Site notice	Posted: 6 December 2022 Expired: 27 December 2022
Press advert	Published: 6 December 2022 Expired: 27 Dec 2022
Departure from Development Plan:	No
Environmental Statement:	Not required

Description of site/building/area

The site is a former public house and a large surface area car park surrounding (with some landscaping) at the junction of Palatine Road and Lapwing Lane. It is bounded to the west by residential development, to the north by a number of commercial use and the Metrolink line, to the east by the continuation of the line, Northern Lawn Tennis Club and residential development beyond, to the south by predominantly large scale residential properties fronting Palatine Road.



Listed building:	Not applicable
Conservation area:	Albert Park Conservation Area 1988
Tree Preservation Order:	Not applicable

Description of development

The applicant is seeking consent for the Installation of Halo illuminated logo and lettering on the south east elevation, south west and north east elevations of the building, vinyl printed logo and lettering to door of the south east elevation, internally illuminated A3 window display posters are proposed on the ground floor windows of the south east and north east elevations and externally illuminated logo and lettering will be displayed on the existing advertising board at the front corner of the site

Consultations & Notification Responses

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

Highways - have no objections to the proposals.

WDRA - The WDRA have considered the proposal and wish to object.

The reasons for our concerns relate to the plans for internally illuminated signs in the conservation area as per Manchester council guidance.

We would not object to externally illuminated signage which is in keeping with the conditions of the conservation area.

We would request that conditions are made regarding the use of lighting overnight to protect local wildlife populations such as bats and that any artificial lighting is switched off for example between 12-4am. This would also improve the environmental impact of the development.

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.

Policy EN 3, Heritage – Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains. Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

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.

Policy DC18, Conservation Areas – Policy DC18.1 states that the Council will give particularly careful consideration to development proposals within Conservation Areas by taking into consideration the following:

- a) The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:
 - i. the relationship of new structures to neighbouring buildings and spaces;
 - ii. the effect of major changes to the appearance of existing buildings;
 - iii. the desirability of retaining existing features, such as boundary walls, gardens, trees, (including
 - iv. street trees);
 - v. the effect of signs and advertisements;
 - vi. any further guidance on specific areas which has been approved by the Council.
- b) The Council will not normally grant outline planning permission for development within Conservation Areas.
- c) Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.
- d) Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.
- e) Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Principle

The siting of the display of signs are 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:

Applications Summary

CDN/22/0841 -Application Pending Consideration - Application to discharge condition nos. 3 (Materials), 14 (Acoustic insulation for Residential Accommodation), 16 (Site Investigation and Remediation), 18 (Electric Vehicle Charging Points) and 19 (Surface Water Drainage Works) attached to planning permission 133740/FO/2022

134922/FO/2022 -Application Approved - 07.11.2022 Installation of an air conditioning (AC) unit to accompany the change of use and conversion of former Greenfinch Public House

134196/NMC/2022 -Application Approved - 29.07.2022 Non-material amendment application to planning approval reference 130831/FO/2021 to allow wording changes to condition numbers 14 (acoustic insulation), 16 (site investigations) and 19 (surface water drainage scheme) to allow demolition works to commence on site

CDN/22/0367 -Application Approved and Refused - 18.08.2022 Application to discharge conditions 11 (Construction Management Plan), 14 (Acoustic Insulation), 16 (Site Investigation), 18 (Electric Vehicle Charging Points) and 19 (Surface Water Drainage) attached to planning permission 130831/FO/2021, ,

133740/FO/2022 -Application Approved - 09.08.2022 Change of use and conversion of former Greenfinch Public House including selective demolition to provide office accommodation (use class E) and 3 apartments (use class C3), and redevelopment of site to provide 9 dwellings (use class C3) with associated works including landscaping and car parking.

130831/FO/2021 -Application Approved - 14.01.2022 Change of use and conversion of former Greenfinch Public House including selective demolition to provide office accommodation (Use Class E) and 3 apartments (Use Class C3), and redevelopment of site to provide 8 dwellings (Use class C3) with associated works including landscaping and car parking

113573/FO/2016 -Application Approved - 08.12.2016 Alterations and extension of existing external pergola including timber infill side panels with wall art, booth seating and decorative timber parapet and lighting.

113564/AO/2016 -Application Approved and Refused - 04.10.2016 Installation of 1 x Individual letter name sign with halo illumination, 2 x Externally illuminated name signs painted directly to walls and 1 x 5.2 metre high double sided internally illuminated totem sign.

105953/TCA/2014/S2 -Application Approved - 22.07.2014 Works to trees - proposed pruning of a Willow, Ash and Sycamore.

101630/JO/2013/S2 -Application Approved - 10.04.2013 Variation of condition no. 2 of planning permission ref: 097789/FO/2011/S2 to allow revised pergola design

098693/AO/2012/S2 -Application Approved - 13.04.2012 Installation of various non-illuminated and externally-illuminated signs

097790/CC/2011/S2 -Application Approved - 30.01.2012 CONSERVATION AREA CONSENT Proposed demolition of existing conservatory extension to enable the construction of

replacement lounge extension, extension to kitchen and bar area, alterations to external beer garden and construction of new play area (planning reference 097789/FO/2011/S2).

097789/FO/2011/S2 -Application Approved - 30.01.2012 Proposed demolition of existing conservatory extension and construction of replacement lounge extension. Extension to kitchen and bar area, alterations to external beer garden and construction of new play area.

091825/TCA/2009/S2 -Application Approved - 30.11.2009 Various works to trees

081224/FO/2006/S2 -Application Approved - 01.05.2007 Erection of awning to form external smoking area

077261/TCA/2005/S2 -Application Approved - 14.11.2005 NOTIFICATION OF INTENT TO CARRY OUT WORKS TO TREES WITHIN ALBERT PARK CONSERVATION AREA - Cut back 2 ash trees from roof

073544/AO/2004/S2 -Application Approved - 21.12.2004 Installation of non illuminated house name letters, two Hyde Park lanterns, two post mounted clip frames, two wall mounted clip frames, two non illuminated freestanding signs and one illuminated pole sign.

073161/FO/2004/S2 -Application Approved - 05.11.2004 Alterations to external patio area involving landscaping and the installation of 2 No. 3.3 metre high jumbrellas.

040317 -Application Approved - 24.03.1992 Change of use from disused school to public house with dining facility including conservatory and kitchen extensions on the ground floor, office use on the first floor and managers flat on the second floor

040606 -Application Approved - 24.03.1992 CONSERVATION AREA CONSENT Demolition of outbuildings and parts of the existing building in connection with the development described in the planning application reference F40317

042239 -Application Approved - 29.10.1992 Various illuminated signs to public house

036794 -Application Withdrawn - 04.09.1990 CONSERVATION AREA CONSENT Demolition of buildings in connection with Part refurbishment and extension of existing building and erection of new 3 storey office development

036793 -Application Withdrawn - 04.09.1990 Part refurbishment and extension of existing building and erection of new 3 storey office development

Visual amenity

The applicant is seeking consent for the Installation of halo illuminated logo and lettering on the south east elevation, south west and north east elevations of the building, vinyl printed logo and lettering to door of the south east elevation, internally illuminated A3 window display posters are proposed on the ground floor windows of the south east and north east elevations and externally illuminated logo and lettering will be displayed on the existing advertising board at the front corner of the site. Concerns were raised by a local residents group with regards to the illuminance and hours of lighting.

The signs colour and text background would have lettering in dark grey with an illuminated halo backdrop. Red logo with halo illuminated backwash onto brick fascia. The materials consist of lettering in 3D powder coated stainless steel. Stainless steel fixing bar. Logo in 3D powder coated

stainless steel Illuminance levels are proposed at 300cd/m² maximum and therefore are considered to be acceptable luminance levels compliant with highways.

Given that the previous signs associated with the use of the public house were illuminated in the same way, the City Council considers the proposal to acceptable. The internally illuminated internally sited signs within the window frames do not require the benefit of advertisement consent but have been included on the application.

Impact on Albert Park Conservation Area

The proposal would be located in a suitable position 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 character of the Conservation Area which is outweighed by the benefit of appropriate signage 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 DC15

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:

Received on 18th November 2022 numbered 1 AXI - 800 Proposed Signage

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

West Didsbury Residents Association

West Didsbury Residents Association

11A Raleigh Close, Manchester, M20 2BY

11 Raleigh Close, Manchester, M20 2BY

7 Raleigh Close, Manchester, M20 2BY

5 Raleigh Close, Manchester, M20 2BY

3 Raleigh Close, Manchester, M20 2BY

1 Raleigh Close, Manchester, M20 2BY

7 Lawnside Mews, Palatine Road, Manchester, M20 3YD

95 Lapwing Lane, Manchester, M20 6UR

Craig House, 33 Ballbrook Avenue, Manchester, M20 3JG

Flat 2, 35 Ballbrook Avenue, Manchester, M20 3JG

Flat 1, 35 Ballbrook Avenue, Manchester, M20 3JG

91 Lapwing Lane, Manchester, M20 6UR

106 Palatine Road, Manchester, M20 3YB

Second Floor Flat, 108 Palatine Road, Manchester, M20 3ZA
First Floor Flat, 108 Palatine Road, Manchester, M20 3ZA
93 Lapwing Lane, Manchester, M20 6UR
Flat 34, Brankgate Court, Lapwing Lane, Manchester, M20 2PD
Flat 32, Brankgate Court, Lapwing Lane, Manchester, M20 2PD
8 Lawnside Mews, Palatine Road, Manchester, M20 3YD
119 Palatine Road, Manchester, M20 3YA
Flat 7, 119 Palatine Road, Manchester, M20 3YA
Flat 6, 119 Palatine Road, Manchester, M20 3YA
Flat 5, 119 Palatine Road, Manchester, M20 3YA
Flat 4, 119 Palatine Road, Manchester, M20 3YA
Flat 3, 119 Palatine Road, Manchester, M20 3YA
Flat 2, 119 Palatine Road, Manchester, M20 3YA
Flat 1, 119 Palatine Road, Manchester, M20 3YA
40 Lapwing Lane, Manchester, M20 2WR
114 Palatine Road, Manchester, M20 3ZA
121 Palatine Road, Manchester, M20 3YA
9 Raleigh Close, Manchester, M20 2BY
Flat 36, Brankgate Court, Lapwing Lane, Manchester, M20 2PD
Flat 35, Brankgate Court, Lapwing Lane, Manchester, M20 2PD
Flat 33, Brankgate Court, Lapwing Lane, Manchester, M20 2PD
Flat 31, Brankgate Court, Lapwing Lane, Manchester, M20 2PD

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
Conservation Area - Albert Park Conservation Area 1988
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: SOUTH AREA