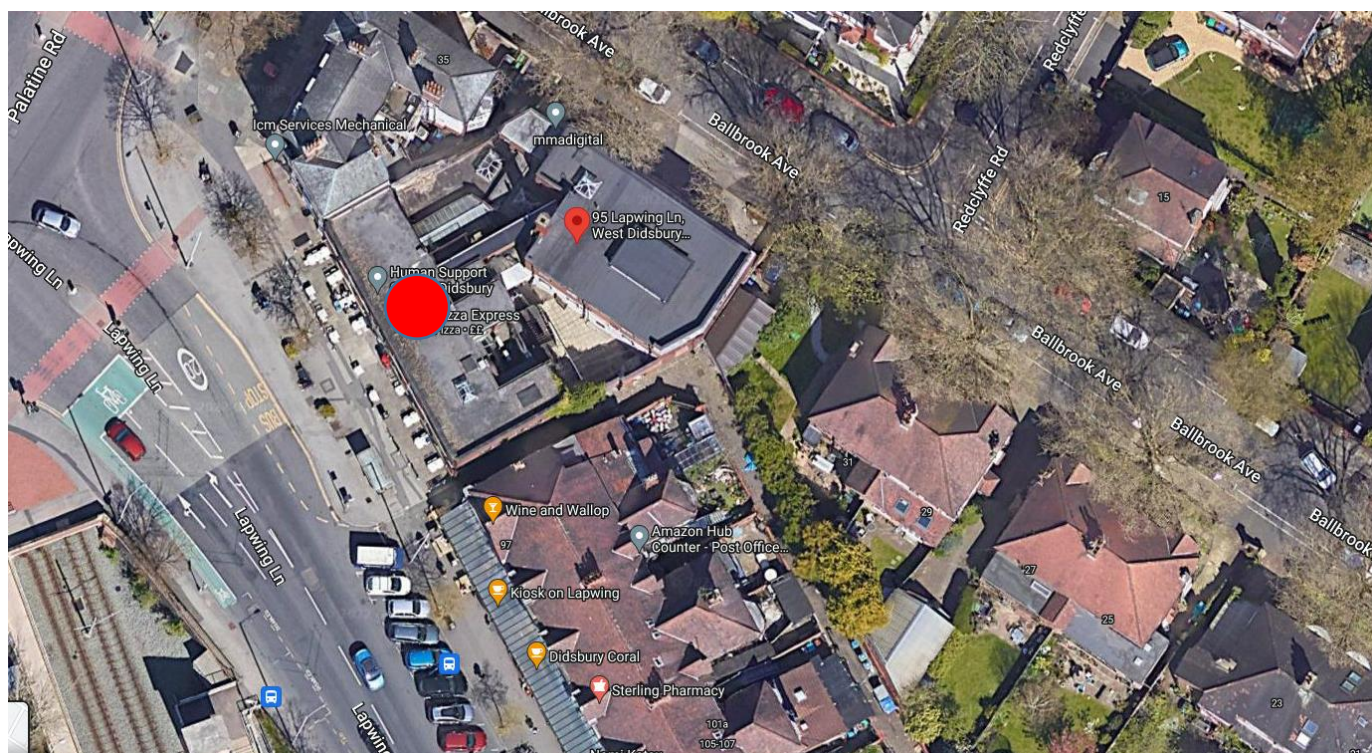


Planning

Growth & Development

Delegated officer report for planning application

Application no.	134428/AO/2022
Date registered valid:	20 July 2022
Proposal:	Advertisement consent for the display of 1no. halo illuminated fascia sign; 1 no. externally illuminated fascia sig; 2 no. internally illuminated projection signs; 1 no. internally illuminated entrance sign
Address:	95 Lapwing Lane, Manchester, M20 6UR
Ward(s):	Didsbury West Ward
Applicant:	Mr Rob Weller, Pizza Express Hunton House, Highbridge Estate, Oxford Road, Uxbridge, UB8 1LX
Agent (if any):	Miss Natalie Long, Technical Signs, Hille Business Centre, 132 St Albans Road, Watford, WD24 4AE
Case officer:	Tracie Simpson Tel: 0161 234 4537 Email: tracie.simpson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	13 th September 2022



Application details

Type of application:	Advertisement Consent	
Development type:	Advertisements	
Date of site visit:	2 August 2022	
Standard consultations:	Printed: 26 July 2022	Expired: 16 August 2022
Neighbour notifications	Printed: 26 July 2022	Expired: 16 August 2022
Site notice	Posted: 2 August 2022	Expired: 23 August 2022
Press advert	Published: 2 August 2022	Expired: 23 August 2022
Departure from Development Plan:	No	
Environmental Statement:	Not required	

Description of site/building

The site relates to a two storey building located close to the corner of Palatine Road adjoining the Royal Bank of Scotland and separated by an alleyway between 95 and 97 Lapwing Lane. The building is currently occupied by Pizza Express which features a private forecourt to the front with outdoor seating.



Listed building:	Not applicable
Conservation area:	Ballbrook Conservation Area 1992
Tree Preservation Order:	Not applicable

Description of area

The building forms part of a parade of shops along Lapwing Lane although the area is predominantly residential in character surrounded by Victorian properties and a public house opposite the site.

Description of development

Advertisement consent for the display of 1no. halo illuminated fascia sign; 1 no. externally illuminated fascia sig; 2 no. internally illuminated projection signs; 1 no. internally illuminated entrance sign

Consultations & Notification Responses

Local neighbours – No response received as a result of the proposal.

Ballbrook Conservation Area Group – No response received as a result of this proposal.

Highway Services - highways response:

Fascia Sign:

The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.034m over the unadopted highway and does not project over the adopted highway. As such, a Projection over License will not be required. The proposed luminance of the sign is noted as 500 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 5.091m, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Fascia Sign:

The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.009m over the unadopted highway and does not project over the adopted highway. As such, a Projection over License will not be required. The proposed luminance of the sign is noted as 200 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. The proposed sign complies with headroom clearance and carriageway clearance requirements and is therefore compliant with MCC recommendations.

Projecting Signs:

The proposed signs are not located on the adopted highway network. The proposed signs extend to a maximum projection of 0.876m over the unadopted highway and does not project over the adopted highway. As such, a Projection over License will not be required. The proposed luminance of the signs are noted as 200 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 3.737m, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed signs comply with carriageway clearance requirements and is therefore compliant with MCC recommendations.

Delivery And Collection Sign:

The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.07m over the unadopted highway and does not project over the adopted highway. As such, a Projection over License will not be required. The proposed luminance of the sign is noted as 200 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 2.828m, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed signs comply with carriageway clearance requirements and is therefore compliant with MCC recommendations

Issues

The following policies are considered relevant in the consideration of this application.

- o Unitary Development Plan (UDP) - The UDP has been superseded by the Core Strategy Development Plan.
- o Saved policy DC14 and in particular DC14.1 and DC14.5 deals with advertisements and signs related to all retail premises and to other commercial premises.
- o DC18 for Conservation Areas

- o The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012.
- o Policy DM 1 - Development Management
- o Policy SP1 - Spatial Principles
- o Policy EN1 – Design Principles
- o Policy EN 3 Heritage
- o Policy EN19 Waste
- o The National Planning Policy Framework (NPPF)

For reasons to be outlined below, it is considered the proposal accords with the principles of this policy document.

Principle

The siting of the display of 1no. halo illuminated fascia sign; 1 no. externally illuminated fascia sign; 2 no. internally illuminated projection signs; 1 no. internally illuminated entrance sign to front elevation 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

Previous applications relating to this site as follows:

- 105437/AO/2014/S2** - Application Approved - 19.06.2014 Installation of commemorative plaque on side elevation
- 103475/AO/2013/S2** - Application Approved - 25.10.2013 Installation of illuminated fascia sign and 2 x illuminated hanging signs.
- 076409/AO/2005/S2** - Application Approved - 07.09.2005 Installation of internally illuminated fascia lettering signage, 2no projecting signs and menu box and horizontal illuminated tubing at fascia level
- 063976/AO/SOUTH1/02** - Application Approved - 15.02.2002 Internally illuminated double sided hanging sign
- 048194/FO/SOUTH2/95** - Application Approved - 26.10.1995 Change of use from shop to 52 seat restaurant class A3 (food and drink).
- 049567/AO/SOUTH2/96** - Application Approved - 08.05.1996 a) Illuminated fascia name sign b) Double sided projecting sign c) Double sided projecting banner sign at first floor level
- 050735/FU/SOUTH2/96** - Application Approved - 28.11.1996 Change of use of part of the ground floor of existing restaurant from a bar and lounge waiting area to additional restaurant area comprising 32 seats
- 055339/RU/SOUTH2/98** - Application Approved - 17.12.1998 Renewal of planning permission ref.051681 to use part of first floor as additional dining area with parking at the Northern Lawn Tennis Club Car Park,
- 051681/FU/SOUTH2/97** - Application Approved - 05.06.1997 Use of part of first floor as additional dining area in association with use of part of NLTC car park

038522 - Application Approved - 16.05.1991 Change of use to part retail and part wholesale of antiques and formation of loading/unloading area with vehicular access from Ballbrook Avenue

035749 - Application Approved - 29.03.1990 Partial demolition, refurbishment and addition to existing buildings for office use

034539 - Application Withdrawn - 05.03.1990 Construction of 8 one bedroom flats, 7 two bedroom maisonettes and 1 three/four bedroom maisonette over new shop premises with associated car parking and garden facilities

033334 - Application Refused - 25.05.1989 Construction of 10, 2/3 bedroom maisonettes and 10, 1/2 bedroom flats over new shop premises with associated car parking and garden facilities

Visual Amenity

The application relates to the advertisement consent for the display of 1no. halo illuminated fascia sign; 1 no. externally illuminated fascia sign; 2 no. internally illuminated projection signs; 1 no. internally illuminated entrance sign which would be located on the front elevation of the building.

3 x out of the 5 signs are replacement signs with the addition of the delivery and collection sign located next to the front entrance of the building and the sign above the window located above the first window on the ground floor. It is considered that the replacement of 3 of the signs and the addition of 2 further signs would not give rise to loss of visual amenity to the area particularly as there is already existing signage in place and therefore in this instance is considered to be acceptable.

Illuminance levels would not exceed 600cd/m² maximum and therefore are considered to be acceptable luminance levels compliant with highways.

Given that there are already shops within the parade and area with subtle signage, it is considered to be acceptable as it is felt that it would have no detrimental impact upon visual amenity within the existing street scene and in the wider context of the surrounding area.

It is not considered that the proposed signage would create visual clutter at the site and has been designed and sited to reflect the building it is to be attached to. The signage is not considered to disrupt or harm the host buildings architecture and given the buildings location the proposals are not considered to give rise to concerns with regards to the visual amenity of the area.

The signage is considered to comply with policies DM1, SP1 and EN1 of the Manchester Core Strategy.

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 DC14.1 having no detrimental impact on amenity and public safety.

Impact on Ballbrook 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 enhance the character of the Conservation Area 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.

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:

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:

Stamped received on 20th July 2022 numbered 596608-3 Proposed Elevations

Stamped received on 20th July 2022 numbered 596608-4 Proposed Elevations

Stamped received on 20th July 2022 numbered 596608-5 Proposed Site Plan

Stamped received on 25th July 2022 Heritage 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
Ballbrook Conservation Area Group

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
Flat 2, 99 Lapwing Lane, Manchester, M20 6UR
Flat 1, 99 Lapwing Lane, Manchester, M20 6UR
93 Lapwing Lane, Manchester, M20 6UR
West Didsbury Post Office, 99 Lapwing Lane, Manchester, M20 6UT
97 Lapwing Lane, Manchester, M20 6UR

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 - Ballbrook Conservation Area 1992
Area Team Boundary - Name: SOUTH AREA