MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	128615/AO/2020
Date registered valid:	17 February 2021
Proposal:	Installation of internally illuminated fascia sign
Address:	Unit 1, 572 Stockport Road, Manchester, M12 4JJ
Ward(s):	Longsight Ward
Applicant:	Mrs Rubeena Barkat, Karak Chaai, Flat 42, 6 Lloyd Road, Manchester, M19 2QY
Agent (if any):	Mr Keith Hilton, Hilton Architecture & Surveying Ltd, 12 Carr House Road, Springhead, Oldham, OL4 4PA
Case officer:	Ian Jarvis Tel: 0161 234 4079 Email: ian.jarvis@manchester.gov.uk
Recommendation:	REFUSE
Date of recommendation:	2 November 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Standard consultations:
Printed: 23 February 2021 Expired: 16 March 2021

Neighbour notifications
Printed: 23 February 2021 Expired: 16 March 2021

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: Not applicable

Tree Preservation Order: Not applicable

This application relates to part of an ornate 3-storey pitched roof building with parapets, located in Longsight District Centre. The building presents frontages to Stockport Road and Dickenson Road with the Stockport Road elevation forming part of an extended two storey shopping parade. Longsight Market is located to the west of the site and the property lies adjacent to the light control junction of Stanley Grove, Stockport Road and Dickenson Road.

In January 2020 a Certificate of Lawful Development was granted on the site for the proposed change of use and internal re-configuration of a former bank (Class A2) to separate retail (Class A1) use at ground floor with a residential apartment (Class C3) at first and second floor (125587/LP/2019).

A subsequent application was then granted planning permission for elevational alterations in connection with the subdivision of the building to form 3 retail units at ground floor and one office at first floor (126575/FO/2020 - Approved 25-11-2020). The building is 'L' shaped, so two of the units front Stockport Road, and one unit fronts Dickenson Road.

Accompanying this application, an application was also received for elevational alterations to the building, together with the installation of fume extraction system to the rear (128614/FO/2020). This was in connection with the use of the unit facing Dickenson Road as a cafe/restaurant, which is allowed as permitted development as retail shops and cafe/restaurants both fall within Class E of the 2020 amended Use Classes Order. It since became apparent that the unit was actually to be used as a mixed use cafe and take away, which is a sui generis use class, and the application (128614) was therefore withdrawn to allow a change of use application to be submitted. This was subsequently submitted (130117/FO/2021) but was

marked as 'Finally Disposed Of', in May 2022, due to a lack of response to requests for outstanding information.

This accompanying advert application was made for fascia signage for the business and originally comprised two internally fascia signs (one above the door and one above the window, on the Dickenson Road frontage). In addition, there is a protruding element to the building, on the Dickenson Road frontage, and an internally illuminated rectangular 'vertical' sign was proposed on this element, which ran from just below fascia level, to just above ground level, sitting perpendicular to the main frontage of the building. Following discussions this 'vertical' sign, and the fascia sign above the window were removed form the scheme, leaving one fascia sign, above the door, to form the proposed scheme, although this fascia sign was raised and increased in size.

Consultations & Notification Responses

Local residents/adjoining occupiers -No comments received.

Highway Services - No objections.

Strategic Area and Citywide Support Manager - No objections

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.

The above requirements have been taken into account in the assessment of the advertisement consent application. Whilst it is considered that the application cannot be refused on the basis of public safety, the proposal, in the view of the Local Planning Authority, fails to accord with its development plan as it is unacceptable in terms of visual impact and excessive prominence within the street.

National Planning Policy Framework - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021. It 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. However, paragraph 11 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:

Section 12 'Achieving Well Designed Places' states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this (paragraph 126).

Paragraph 136 states that 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 Core Strategy Development Plan Document 2012 -2027 ("the Core Strategy") was adopted by the City 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.

Policy SP1 identifies the City Council's Core Development Principles and states that development in all parts of the City should:-

Make a positive contribution to neighbourhoods of choice including:-
- 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 or income.
- Protect and enhance the built and natural environment

Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.

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.

Policy EN1 relates to Design Principles and Strategic Character Areas. It 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. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy DM 1 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:-
- Appropriate siting, layout, scale, form, massing, materials and detail.
- 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.
- 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.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.
- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- Flood risk
- Existing or proposed hazardous installation.

UNITARY DEVELOPMENT PLAN
The site is unallocated within the Manchester City Councils Unitary Development Plan Development Plan (adopted 1995). However , the general policy for advertisement hoardings is Saved policy DC15.

Saved development control policy DC14.1 sets out the considerations that the City Council will take into account in determining applications relating to shop fronts, security grilles, advertisement signs, canopies and awnings. It states that in determining applications for advertisement signs, the Council will seek to ensure that proposals are in keeping with the character of the building, adjoining buildings and the area. In the interests of amenity, signs should not normally be positioned other than at fascia level and should respect the architectural form of the building. In the interests of public safety, any sign that is detrimental to the safety of pedestrians or motorists will be refused.

Saved policy E3.3 relates to sites along radial and orbital routes, which includes Stockport Road, and seeks to ensure that all new development, along these routes, is of the highest quality. The sign is positioned perpendicular to Stockport Road and adjoins a large area of

open land, this combined with its elevated position means that it would have a long range of visibility down Stockport Road, for vehicles travelling to the city centre.

Principle of signage - The property is located in Longsight District Centre and signage of this type is typical in the area, so some form of signage, to the building, is considered to be acceptable in principle. The building is, however, of some architectural value with features of some merit and any signage needs to relate well to the building.

Visual impact of signage - Although the number of signs have been reduced, the sign proposed remains inappropriately located in that it is positioned too high, so that it is higher than other fascia signage in the district centre, Also, it is too large, and does not respect the architectural features of the part of the building on which it was located. The applicant was requested to submit an alternative proposal, but no response was received.

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: REFUSE

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The display of the signage, on the Dickenson Road elevation of the property is considered to be unacceptable by virtue of its size, positioning, and relationship to and impact upon the appearance of the existing building. It is considered that the signage would have a detrimental impact on the visual amenity of the area and the proposed development is considered to be contrary to policy DM1 of the Core Strategy for the City of Manchester, Saved policies DC14.1 and E3.3, of the Unitary Development Plan for the City of Manchester and guidance contained in the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

First Floor, 388C Dickenson Road, Manchester, M13 0WQ
Shoebox, 388C Dickenson Road, Manchester, M13 0WQ
Shee Trends, 388 Dickenson Road, Manchester, M13 0WQ
392 Dickenson Road, Manchester, M13 0WQ
390 Dickenson Road, Manchester, M13 0WQ
394 Dickenson Road, Manchester, M13 0WQ
396 Dickenson Road, Manchester, M13 0WQ
Offices, 568 Stockport Road, Manchester, M19 3AD
Longsight Market, Dickenson Road, Manchester, M13 0WG
576 - 578 Stockport Road, Manchester, M13 0RQ
551 - 553 Stockport Road, Manchester, M12 4JH
562 - 564 Stockport Road, Manchester, M12 4JJ
568 Stockport Road, Manchester, M12 4JJ
574 - 576 Stockport Road, Manchester, M13 0RQ
393 Dickenson Road, Manchester, M13 0WG
Dr I Saleem And Colleagues Dental Practice, 566 Stockport Road, Manchester, M12 4JJ
560 Stockport Road, Manchester, M12 4JJ
558 Stockport Road, Manchester, M12 4JJ
555 Stockport Road, Manchester, M12 4JH

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
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