

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134556/FO/2022

Date registered valid: 31 August 2022

Proposal: Change of use from retail (Class E) to hot food takeaway (sui generis) with new shop front and erection of extraction flue

Address: 645 Stockport Road, Manchester, M12 4QA

Ward(s): Longsight Ward

Applicant: Mr Faisal Al-Badri 645 Stockport Road, Manchester, M12 4QA

Agent (if any): Mr Ahmed Choudhry Nada Architects 169 Kingsway, Manchester, M19 2ND

Case officer: Carl Glennon
Tel: 0161 234 4530
Email: carl.glennon@manchester.gov.uk

Recommendation: 22 September 2022

Date of recommendation: Approve

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 31 August 2022

Standard consultations:

Printed: 5 September 2022 Expired: 26 September 2022

Neighbour notifications

Printed: 5 September 2022 Expired: 26 September 2022

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: No

Tree Preservation Order: No

Description of area

The application site is located on the east side of Stockport Road and situated between Longsight and Levenshulme District Centres. The application relates to the ground of a centrally positioned vacant Class E unit. It is located in a 16 unit parade of Class E and take away (sui generis) uses. The parade consists of 2-storey premises with red brick elevations to upper floors with red-brick elevation and grey slate roofs with dormer extensions above. The adjacent highway incorporates lay-by car parking. The application property is vacant and under refurbishment. Residential uses are located at first floor level. The area to the east and west of the site is predominantly residential, Crowcroft Park is located to the south of the site. The parade does not have a continuous building line due to changing eaves levels and the formation of a larger dormer roof features spanning Nos 645 and 647 Stockport Road.



Fig. 1 – Application site frontage – 645 Stockport Road

Site history

- i. 121166/FO/2018 (Approved - 30.10.2018) - Retrospective application for the retention of an ATM within the shop front
- ii. 121167/AO/2018 (Approved - 30.10.2018) - Retrospective application for the retention of internally illuminated signs attached to ATM within the shop front

The proposed advertisement signage is related to the following planning application:

134556/FO/2022 - Change of use from retail (Class E) to hot food takeaway (sui generis) with new shop front and erection of extraction flue

Description of advertising signage

The application includes details of the positioning, dimensions and illumination of the proposed signage without the provision of details of the final appearance of the display panel. The proposed signage would span the full width of the shopfront (4.5 metres) and be positioned 2.9 metres above ground level. The height of the fascia sign would be 1.65 metres and incorporated individual letters with a maximum height of 50 cm. The sign would relate to established fascia signage position. It would incorporate static illumination with maximum illuminance of 35 cd/m².

Consultations & Notification Responses

Local residents – No comments received.

Highway Services – The following comments have been received:

- i. The proposed sign is not located on the adopted highway network and does not extend over the adopted highway. Therefore, a projection over license will not be required;
- ii. The luminance of the static sign is noted as 35cd/m² which is considered acceptable as it is within the MCC recommended maximum of 600cd/m²;
- iii. The sign complies with headroom and carriageway clearance requirements.

Environmental Health – No objection.

Greater Manchester Police Design for Security – No comments received.

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.

It is considered that the illuminated signage relates satisfactorily to the regulations.

National Planning Policy Framework - This Framework came into effect on 27th March 2012 and was amended and updated in July 2021 and 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:

Chapter 12. Achieving well-designed places - 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 126). It further states that: 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions' (paragraph 134). With regard to advertisement signage Chapter 12 states: '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' (paragraph 136).

It is considered that the proposed signage represents a standard design that is commonly found within the local context. On balance, it is considered that the proposed signage would secure a satisfactory relationship to the shopfront and the characteristics of the related shopping parade thereby securing compliance with Chapter 12.

Planning Practice Guidance - On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource. The PPG seeks to both simplify and clarify planning guidance easier and simpler. It is intended to be read in conjunction with the National Planning Policy Framework (NPPF) and is relevant to key planning issues of significance to applicants and local authorities. In considering this application consideration has been given to the following aspects of the PPG:

Advertisements - This section specifically refers to, amongst other things,

- i. Considerations affecting public safety
- ii. Considerations affecting amenity.

In this case it is considered that the display of signage would not be detrimental to highway safety and / or the amenity of the neighbouring area and would thereby be appropriately related to the relevant aspects of PPG.

Manchester's Local Development Framework: Core Strategy - The Core Strategy Development Plan Document 2012 -2027 ('the Core Strategy') was adopted by the 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.' The following policies are relevant to the proposed development:

Policy SP 1 (Spatial Principles) - Specifies the Core Development Principles for parts of the City. In this case the relevant principles relate to the extent to which the development:

- a. Makes a positive contribution to neighbourhoods of choice including the creation of well designed places that enhance or create character; making a positive contribution to the health, safety and well-being of residents, considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income and to protect and enhance the built and natural environment;
- b. Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible;
- c. 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.

The appearance and specification of the illuminated signage would not unduly impact upon the character or composition of the shopfront. It is appropriately related to the alignment of signage to the adjoining commercial unit and wider shopping parade thereby reflecting the established arrangement of signage. On this basis, policy SP1 would be accorded with.

Policy EN 1 Design Principles and Strategic Character Areas - States that design is appropriately related to the character of the surrounding area. It is not considered that the signage departs from the character of the shopfront or otherwise visually obtrusive and its illumination would be managed by conditions. The signage is thereby appropriately related to policy EN1.

Policy DM1 (Development Management) - States that all development should have regard to the following specific issues:

- a. Appropriate siting, layout, scale, form, massing, materials and detail;
- b. Impact on the surrounding areas in terms of the design, scale and appearance with regard to the character of the surrounding area;
- c. Effects on amenity;
- d. Design for health.

For the reasons previously set out above, it is considered that the proposed signage would be satisfactorily related to policy DM1 as it would not harmfully affect the character of the shopping area or neighbouring residential uses.

Unitary Development Plan saved policies - The following saved policies of the UDP are considered to be relevant:

Policy E3.3 (Upgrade the appearance of radial and orbital routes) - This policy (E3.3) is relevant given the views of the site from Stockport Road, which is a major radial route to and from the City Centre. It is considered that the new signage would not adversely affect the Stockport Road and would improve the existing circumstance. Policy E3.3 would thereby be accorded with.

Policy DC14 - Shopfronts and related signs

Policy DC14.1 - States that in determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shop fronts, where appropriate, and of the area within which the premises are

located. Policy DC14.1 has been related to the relationship of the signage to the existing building and the context of the site and considered to be appropriate.

Policy DC14.5 - States that the advertisement regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In determining such applications, the Council will adopt the following policies:

A. In the interests of amenity,

- a. Signs should not normally be positioned other than at fascia level;
- b. Signs should respect the architectural form of buildings and shop frontages;

B. In the interests of public safety,

- h. Any sign which is detrimental to the safety of pedestrians or motorists will be refused.

It is considered that the illuminated signage has a limited visual impact and thereby accords with policy DC14.1 with regard to amenity. There are no apparent public safety issues associated with the display of the signage as its positioning would accord with policy DC14.5.

Principle – The advertisement application has been specifically considered with regard to its compliance with policy and relevant guidance and legislation rather than any proposal for the future use of the ground floor of the building . It is considered that the proposed signage has been appropriately and cohesively related to the parameters of the existing shopfront and the established position of fascia signage within the existing and neighbouring units.

Height and positioning - As stated the variance in height between the application and neighbouring properties has affected the alignment of the established fascia levels. Given the absence of uniform signage positioning within the parade and the characteristic space between the top of the shopfront and the cill level above, it is considered that slightly higher sign would be appropriate. It would also overcome the impact of exposed brickwork above the signage, which currently affects the appearance of the adjoining unit at No 647. On balance, it is considered that the proposed signage would be appropriately related to the existing shop frontage and neighbouring units. Sufficient clearance above ground thereby ensuring that there would be no impact on pedestrian movement.

Highways Issues - No objections have been received from Highway Services as no public safety issues would arise. A projection over licence is not required.

Illumination levels - The applicant has provided further details relating to signage illumination . For the avoidance of doubt and in response to Highways comments, a condition has been included to ensure that no illumination exceeds the specified usually recommended maximum of 35 cd/m².

Design – Whilst the details of the appearance of the signage is limited, sufficient information has been provided to ensure its appropriate assessment , in relation to size, illumination and individual letter signage. The proposal is considered to be acceptable.

Residential amenity - The development is not located in a residential area. The proposed design and illumination would maintain the visual amenities of the locality.

Conclusion - It is considered that the proposed signage would be proportionate and appropriately related to the surrounding shopping parade. The proposed signage, subject to illumination controls secured by condition, would safeguard the amenities of the area. The advertisement signage would appropriately and satisfactorily relate to policies SP1, EN1 and

DM1 of the Core Strategy for the City of Manchester, saved UDP policies DC14.1, DC14.5 and the National Planning Policy Framework.

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

N/A

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, 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 must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents stamped as received by the City Council as local

planning authority on 1 August 2022:
Advertising consent application form;
Location plan with a red edge;
Proposed GA Site plan & elevations Ref: 21-993 (03) 001 Rev PL1;
Proposed signage section Ref: 21-993 (04) 001 Rev PL0.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies SP1, EN1 and DM1 of the Core Strategy for the City of Manchester.

4) Upon installation the authorised advertisement signage shall be internally illuminated with a static display and luminance levels not exceeding a maximum of 35 cd/m² as stated on the advertisement consent forms stamped as received by the City Council as local planning authority on 1 August 2022. The approved illumination levels shall not be exceeded at any time whilst the signage is in operation.

Reason - In the interests of the amenity of the area and highway safety pursuant to policies SP1 and DM1 and Unitary Development Plan saved policy DC14.

Informative

1) The advertising consent hereby granted does not confer planning permission for the use of 645 Stockport as hot food takeaway (sui generis) or the undertaking of related external alterations, including flue installation.

2) The applicant should be advised that any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

1A Sullivan Street, Manchester, M12 4WS
9 Sullivan Street, Manchester, M12 4WS
8 Sullivan Street, Manchester, M12 4WS
6 Sullivan Street, Manchester, M12 4WS
5 Sullivan Street, Manchester, M12 4WS
4 Sullivan Street, Manchester, M12 4WS
3 Sullivan Street, Manchester, M12 4WS
2 Sullivan Street, Manchester, M12 4WS
7 Sullivan Street, Manchester, M12 4WS
Jilanis, 655 - 657 Stockport Road, Manchester, M12 4QA
Flat 2, 657 Stockport Road, Manchester, M12 4QA
Flat 2, 655 Stockport Road, Manchester, M12 4QA
Flat 2, 653 Stockport Road, Manchester, M12 4QA
First Floor, 1 Sullivan Street, Manchester, M12 4WS
Ground Floor, 1 Sullivan Street, Manchester, M12 4WS
651A Stockport Road, Manchester, M12 4QA
Ground Floor, 647 Stockport Road, Manchester, M12 4QA
Flat 1, 653 Stockport Road, Manchester, M12 4QA
Flat Above, 641 Stockport Road, Manchester, M12 4QA
651 Stockport Road, Manchester, M12 4QA
639A Stockport Road, Manchester, M12 4QA
Flat 1, 657 Stockport Road, Manchester, M12 4QA
Flat 1, 655 Stockport Road, Manchester, M12 4QA
Flat 1, 645A Stockport Road, Manchester, M12 4QA
645A Stockport Road, Manchester, M12 4QA
Flat 2, 637 Stockport Road, Manchester, M12 4QA
647 Stockport Road, Manchester, M12 4QA
Flat 1, 637 Stockport Road, Manchester, M12 4QA
655 Stockport Road, Manchester, M12 4QA
639 Stockport Road, Manchester, M12 4QA
647A Stockport Road, Manchester, M12 4QA
644 Stockport Road, Manchester, M12 4GA
1 Sullivan Street, Manchester, M12 4WS
657 Stockport Road, Manchester, M12 4QA
653 Stockport Road, Manchester, M12 4QA
649 Stockport Road, Manchester, M12 4QA
643 Stockport Road, Manchester, M12 4QA
641 Stockport Road, Manchester, M12 4QA
637 Stockport Road, Manchester, M12 4QA

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) -
Area Team Boundary - Name: NORTH AREA