

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134231/AO/2022

Date registered valid: 1 July 2022

Proposal: Installation of replacement internally illuminated fascia signage and projecting signage to side elevation

Address: 17-18 Lime Square , Ashton Old Road, Manchester, M11 1DA

Ward(s): Clayton & Openshaw Ward

Applicant: Specsavers Optical Stores Cirrus House, 10 Experian Way, Nottingham, NG2 1EP

Agent (if any): Fisch Planning Fisch Design Unit 1 Heritage Business Centre, Derby Road, Belper, DE56 1SW

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

Recommendation: Approve

Date of recommendation: 11 August 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 15 July 2022

Standard consultations:

Printed: 7 July 2022 Expired: 28 July 2022

Neighbour notifications

Printed: 7 July 2022 Expired: 28 July 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 property is a ground floor corner unit centrally positioned within the district centre. The principal (southern) shopfront faces toward the main section of the car park with a secondary shopfront presented to a pedestrian route to the west. Proposed signage would be related to the position of the existing signage to the respective elevations.



Description of development

The following advertisement signage would relate to the respective elevations:

- i. Front (south) elevation - The existing shopfront comprises two display windows separated by double doors. The glazing is set between two vertical brick pillars with brick plinth to the base. The proposed signage would be positioned above the existing shopfront and beneath the projecting canopy, i.e., in the position of the existing signage. The new fascia sign as a height of 994 mm, width of 6640 mm and positioned 2.75 metres above ground level;
- ii. Side (western) elevation - Comprises three display windows demarcated between four vertical pillars. The signage would be related to the established fascia level, positioned above the highest part of the display window at a height of 3.2 metres above ground level. Each sign would have dimensions of 860 mm (high) and 4175 mm (wide);
- iii. Box signs (western elevation) - Two boxes would be provided replacing the existing in the same position. The first sign would be positioned within the first pillar (at the intersection of the southern and western elevation) and the second sign related the third pillar moving northwards. Each sign would have dimensions 500 mm (high) x 500 mm (wide).

Each sign would comprise static internal illumination with luminance levels not exceeding 520 cd/m².

Consultations & Notification Responses

Local businesses – No comments received.

Highway Services – The following comments have been received:

- i. The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.05m over the private boundary of Lime Square and does not project over the adopted highway. As such, a Projection over License will not be required.
- ii. The proposed luminance of the sign is noted as 520 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 2.75 metres (front elevation signage) and 3.2 metres (side elevation signage) would be provided exceeding the required minimum 2.30 metres. The main fascia signage would have a maximum projection of 0.05m over the private boundary within Lime Square and a 'Projection over License' will not be required.
- iii. The projecting box sign would have a maximum projections of 500 mm. Although, the projecting sign would have a projection of 500 mm a 'Projection Over Licence' will not be required, as it overhangs the private boundary of Lime Square and does not impact the adopted highway. 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 3.2m, compliant with the 2.30m minimum, is noted and accepted by Highways.
- iv. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

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 context of Openshaw District Centre. On balance, it is considered that the proposed signage would secure a satisfactory relationship to the shopfront and the streetscene to secure 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 Openshaw District Centre and 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.

It is not considered that the appearance and specification of the illuminated signage would unduly impact upon the character or composition of the shopfront. It is appropriately related to the alignment of signage to the adjoining commercial unit. The number of signs is proportionate, related to the previously established arrangements and satisfactorily related to the surrounding context. Policy SP1 would thereby 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 Ashton Old 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 Ashton Old Road due to its distance from the site boundary or harm the appearance of Openshaw District Centre. 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 proposed signage has been appropriately and cohesively related to the existing shopfront and the established position of fascia signage within the existing and neighbouring units. The signage is related to the continued use of the premises and is acceptable in principle.

Height and positioning - As stated 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. The height and position would therefore be appropriate.

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 usually recommended maximum of 600cd/m².

Design and proliferation of signs - The scale and appearance of the application signage its relationship to the existing shopfront and context within the district centre has been assessed. It is considered that the signage would be, in design terms, comparable to signage in the wider locality and appropriately related to the building and its context.

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 and wider district centre. 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 July 2022 and 5 July 2022:

Advertising consent application form;

Location plan with a red edge Ref: 2024-LP Rev A

Block plan Ref: 2024-BP Rev A

Existing and proposed elevations Ref: 1857/2012

Drawings and specifications contained within document referenced: Specsavers Openshaw Lime Square Unit 17-18 Ashton Old Road Openshaw M11 1 DA Issue 01 – 21/06/2022 by Butterfield Group.

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: fascia signage 520 cd/m2 and projecting box sign 500 cd/m2 as specified in the advertisement consent forms dated 1 July 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services

McDonald's, Lime Square, Ashton Old Road, Manchester, M11 1DA

Costa Coffee, 19 Lime Square, Ashton Old Road, Manchester, M11 1DA

14 Lime Square, Ashton Old Road, Manchester, M11 1DA

15 Lime Square, Ashton Old Road, Manchester, M11 1DA

Lemon Nails, 16 Lime Square, Ashton Old Road, Manchester, M11 1DA

Morrisons, 1 Lime Square, Ashton Old Road, Manchester, M11 1DA

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

Area Team Boundary - Name: NORTH AREA