

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134011/AO/2022

Date registered valid: 9 June 2022

Proposal: Retention of internally illuminated signage associated with the ATM

Address: 74 Hathersage Road, Manchester, M13 0FN

Ward(s): Ardwick Ward

Applicant: Mr James Williams Notemachine UK Ltd Russell House, Elvicta Business Park, Crickhowell, NP8 1DF

Agent (if any):

Case officer: Harriet Aidoo
Tel: 0161 234 4532
Email: harriet.aidoo@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 3 August 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 29 June 2022

Standard consultations:

Printed: 15 June 2022 Expired: 6 July 2022

Neighbour notifications

Printed: 15 June 2022 Expired: 6 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:

Tree Preservation Order:

Description of site / building / area

The application relates to a two storey end-terraced property, in a shopping parade of 8 units. The application building lies close to Manchester City Centre and Manchester Royal Infirmary and within a short walking distance from Upper Brook Street. Surrounding the property, and shopping parade, there are a number of commercial businesses and a large number of student flats/accommodation. The ground premises is currently operating as a general store and off license with what appears to be residential above. This is in common with other properties in the parade which are generally in use as a retail/commercial unit with a flat above, some of which are accessed from a stairway at the rear of the site.

Description of development

The submitted application seeks retention of internally illuminated signage associated with the ATM. An associated application - retention of installed ATM in shop front is considered under planning application reference number: 134010/FO/2022.

Consultations & Notification Responses

1. Neighbours

No objections, comments or representations received.

2. Greater Manchester Police

No objections to the approval of this application.

POLICY

1. Town and Country Planning (Control of Advertisements) (England) Regulations 2007 - The Advertisement regulations require that applications for advertisements be considered only in the interests of amenity and public safety.

2. The National Planning Policy Framework (NPPF), (July 2021) - This Framework came into effect on 27th March 2012 and was amended and updated in February 2019. 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 has been related to the proposed development, with particular emphasis given to the following:

- o Chapter 8: Promoting healthy and safe communities.
- o Chapter 12: Achieving well-designed places.

3. The Manchester Core Strategy Development Plan Document 2012-2027 ("the Core Strategy") was adopted by the City Council on 11th July 2012. Of relevance are the following policies:

- o Policy DM 1 (Development Management)
- o Policy SP1 (Spatial Principles)
- o Policy EN1 (Design Principles and Strategic Character Areas)
- o Policy EC1 (Employment and Economic Growth in Manchester)

4. Saved Unitary Development Plan Policies - The UDP has been superseded by the Core Strategy Development Plan, of relevance are the following saved policies:
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.

Policy DC15.1 states that the Advertisement Regulations require that, amenity and public safety are the only considerations in determining an application for advertisement consent. Material planning considerations include the cumulative impact on visual amenity, the scale and relation to existing buildings and impact on public safety.

DC15.2 states that 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 of 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 effect the flow of traffic, by reason of its position, size or design will not be permitted

DC15.3 states that 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.

ISSUES

Principle

The principle of the proposal is considered to be acceptable in this location, as the site forms part of an existing local neighbourhood high street location where there are existing local shops and services. Notwithstanding this, applications for advertisements must be considered in the interests of visual amenity and public safety.

Residential/Visual Amenity and public safety

It is considered that the internally illuminated signage, and associated adverts which are sought to be retained are of standard design and appearance for the nature of the ATM its displayed upon; therefore, it is considered that it is unlikely to have any significant adverse impact upon the visual amenity of the building or the amenity of the occupiers of nearby residential properties. Moreover, the external design and appearance of the signage to be retained creates no significant impact as the application property is an end of terrace within a row of eight properties where the ground floor units are commercial by nature and where signage would be expected. The distance of the ATM internally illuminated fascia signs from residential , combined with a maximum lux level of 286.478cd/m, is considered to be acceptable in this location and would not give rise to undue disamenity to the occupants of the neighbouring properties from the functioning of the machine, pursuant to The National Planning Policy Framework; Core Strategy policies SP1, DM1, EN1 and saved policies E3.3, DC14.1 and DC15.

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:

- o Location Plan, received by the City Council as Local Planning Authority on 09 June 2022.
- o Design & Access Statement, received by the City Council as Local Planning Authority on 09 June 2022.

- o Pre-Existing Plan and Elevation, Ref: T020743_PE, received by the City Council as Local Planning Authority on 09 June 2022.
- o Proposed General Arrangement, Ref: NM-GA-6626, Rev B, received by the City Council as Local Planning Authority on 09 June 2022.
- o Proposed Elevations, Ref: T020743_AI, received by the City Council as Local Planning Authority on 09 June 2022.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to The National Planning Policy Framework; Policies DM1, SP1 and EN1 of the Manchester Core Strategy; saved policies E3.3, DC14.1, and DC15 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Greater Manchester Police

81 Hathersage Road, Manchester, M13 0EW
Flat 6, 81 Hathersage Road, Manchester, M13 0EW
Flat 5, 81 Hathersage Road, Manchester, M13 0EW
Flat 4, 81 Hathersage Road, Manchester, M13 0EW
Flat 3, 81 Hathersage Road, Manchester, M13 0EW
Flat 2, 81 Hathersage Road, Manchester, M13 0EW
Flat 1, 81 Hathersage Road, Manchester, M13 0EW
Flat Above, 70 Hathersage Road, Manchester, M13 0FN
70 Hathersage Road, Manchester, M13 0FN
72 Hathersage Road, Manchester, M13 0FN
Rear Of, 68 Hathersage Road, Manchester, M13 0FN
First Floor, 74 Hathersage Road, Manchester, M13 0FN
Flat 9, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 8, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 7, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 6, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 5, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 4, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 3, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 2, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 11, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 10, 83 - 85 Hathersage Road, Manchester, M13 0EW
Flat 1, 83 - 85 Hathersage Road, Manchester, M13 0EW

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