

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133776/AO/2022

Date registered valid: 16 May 2022

Proposal: Installation of advertisements to include 1x post mounted pictorial sign, 2x sets of sign written house name letters, 2x post mounted welcome signs and 1x sign written directional sign, following removal of projecting sign.

Address: Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG

Ward(s): Didsbury East Ward

Applicant: Mr Devlin Chef & Brewer

Agent (if any): Mrs Gillian Shepley Ashleigh Signs Ashleigh House, Beckbridge Road, Normanton, WF6 1TE

Case officer: Linda Marciniak
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Email: linda.marciniak@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 7 July 2022



Application details

Type of application: Advertisement Consent
Development type: Advertisements
Date of site visit: 07.06.2022
Standard consultations: Printed: 30 May 2022 Expired: 20 June 2022
Neighbour notifications: Printed: 30 May 2022 Expired: 20 June 2022
Site notice: Posted: 07 June 2022 Expired: 28 June 2022
Press advert: Published: 07 June 2022 Expired: 28 June 2022
Departure from Development Plan: No
Environmental Statement: Not required
Listed building: Grade II
Conservation area: Didsbury St James Conservation Area 1970
Tree Preservation Order: N/A

Description of site/building

The application site is an extended part 2, part 3-storey detached C19 Grade II Listed building in use as a public house and situated on the south side of Wilmslow Road in the Didsbury St. James conservation area. The building is of brick and white stucco construction with gabled slate roofs, 3no. chimneys along the main ridge and round-headed windows on the front elevation. A section of wall with parapet comes off the left-hand side beyond which is a modern single storey side extension.



The building is fronted by a recently completed landscaped area to the back of pavement at Wilmslow Road, works which received planning and Listed Building consent under applications 130897 and 130898.

There are two tarmac surface car parks, one on the eastern side and one at the rear. Access and egress operates on a separate in-out system whereby access is gained from a point to the east and egress from Stenner Lane which is to the west.

Description of area

The site is bounded by Fletcher Moss Park to the east, 3no. residential dwellings and the park beyond to the south, Parsonage Gardens to the immediate west and by an estate of modern dwellings to the north. Didsbury District Centre is located 500 metres to the north.

The site is within the heart of the conservation area which has an arcadian character owing to the level of mature tree cover along Wilmslow Road and neighbouring parks and gardens.

Description of development

Installation of advertisements to include 1x post mounted pictorial sign, 2x sets of sign written house name letters, 2x post mounted welcome signs and 1x sign written directional sign, following removal of projecting sign.

Existing levels of signage at the site are relatively low comprising of a totem sign on the front boundary and painted pub and brewery signs on the front and side elevations.



Site History

Applications which have been received at the site and their determination are set out below:

024989 Approved - 20.09.1985 LISTED BUILDING CONSENT Refurbishment and single storey rear extension at 1st floor level to form new toilets and office, two new fire escapes at rear and new entrance to restaurant on front elevation

024990 Approved - 20.09.1985 Single storey rear extension at 1st floor level to form new toilets and office, two new fire escapes at rear and new entrance to restaurant on front elevation

025139 Approved - 20.09.1985 a) illuminated halo lit logo sign to front elevation b) two restaurant notice boards to each entrance door at front and side elevations c) illuminated canopy sign to side elevation d) Illuminated free standing directional sign in car park

030657 Refused - 10.03.1988 Listed Building Consent - Provision of cast metal bollards to define car parking area

043935/AO/SOUTH1/93 Approved - 12.08.1993 Various illuminated signs to public house

043938/LO/SOUTH1/93 Approved - 12.08.1993 Listed Building Consent for various illuminated signs to public house.

052127/LO/SOUTH1/97 Approved - 27.11.1997 LISTED BUILDING CONSENT Construction of new porch, bay window with extension to form new kitchen and internal alterations after demolition of existing entrance bay

052126/FO/SOUTH1/97 Approved - 27.11.1997 Alterations and extensions to public house after demolition of existing entrance bay

066610/LO/SOUTH2/02 Approved - 07.01.2003 Landscaping works and installation of 1.8m high boundary railings and re-positioning of access road

066609/FO/SOUTH2/02 Approved - 07.01.2003 Landscaping works and installation of 1.8m high boundary railings and re- positioning of access road

083485/FO/2007/S2 Approved - 01.08.2007 Retrospective application for the installation of three 4 metre by 4-metre "jumbrellas" with integral heating and lighting

082552/FO/2007/S2 Approved - 16.05.2007 Extension of 3m by 19m paved terrace

093911/LO/2010/S2 Approved - 24.11.2010 Listed Building Consent for the erection of a 700mm high timber fence together with installation of 7 high level lights

093853/FO/2010/S2 Approved - 24.11.2010 Erection of a 700mm high timber fence together with installation of 7 high level lights

107252/AO/2014/S2 Approved - 15.12.2014 Installation of 2.no non-illuminated 2.28-metre-high signboards

128134/FO/2020 Withdrawn - 22.12.2020 Erection of a single storey side extension to form external bar, fencing and lighting columns and associated landscaping works.

128135/LO/2020 Withdrawn - 22.12.2020 Listed Building Consent for the erection of a single storey side extension to form external bar, fencing and lighting columns and associated landscaping works.

130897/FO/2021 - Erection of a single storey side extension to form an external bar and landscaping works to beer garden
Application Approved - 02.09.2021

130898/LO/2021 - Listed building Consent for the erection of a single storey side extension to form an external bar and landscaping works to beer garden
Application Approved - 02.09.2021

132544/FO/2021 - Erection of two 4-metre-high columns with Automatic Number Plate Recognition (ANPR) Camera
Application Invalid

132545/AO/2021 - Advertisement consent for the display of 12 no. Non illuminated signs
Application Pending Consideration

133891/LO/2022 - Listed Building Consent in association with the Installation of advertisements to include 1x post mounted pictorial sign, 2x sets of sign written house name letters, 2x post mounted welcome signs and 1x sign written directional sign, following removal of projecting sign.
Application Pending Consideration

Consultations & Notification Responses

Neighbour notifications – A total of 10.no neighbours were notified of the application and a site notice displayed for 21 days – One objection was received. Comments:

1. The area in which the signs will be placed is not actually owned by the pub as it is an area which historically was the village green and has gradually been taken over and recently fenced in by the owners. It was not common land but there are issues with regard to ownership.
2. It is in The St James's conservation area and that number of signs would affect the visual amenities of the area. The pub building itself along with adjacent buildings of The Old Cock, the restaurant, The Eagle gate, and The Old Parsonage are all listed buildings. The visual aspect of them would affected.
3. There is no reason why direction signs are required. Visitors can easily find the entrance and exit. An excess of signs spoils the visual aspects of an area.

Didsbury Civic Society – No comments received

Policy

Town and Country Planning (Control of Advertisements) Regulations 2007

The local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- (1)
 - (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 regulations state the factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

The National Planning Policy Framework (July 2021)

The document sets out the Government's Planning Policies for England and how these are expected to be applied. National Planning Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Chapter 12- Achieving well-designed places

Paragraph 126 states that in 'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. It further 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 136 states that the quality and character of places can suffer when advertisements are poorly sited and designed. It acknowledges that 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.

Policy DM1 - Development Management

This policy 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. The relevant issues are the appropriate siting, layout, scale, form, massing, materials and detail. The 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. The 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.

Policy SP1 - Spatial Principles

This policy sets out the City Council's Core Development Principles. It states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, amongst these include: 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.

Policy EN1 - Design Principles and Strategic Character Areas

This policy 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.

Unitary Development Plan Saved Policies

Large elements of the UDP have been superseded by the Core Strategy. The following saved policies are of relevance in the consideration of this application:

Policy DC15 - Advertisements, Hoardings and Posters:

In determining applications for free standing hoardings and wall mounted posters the Council will take account of the following matters in assessing these interests:

- a. the general location of the proposed development and the effect on visual amenity;
- b. the scope for posters and hoardings to make a positive contribution to the locality;

- c. the design of the structures, and the relationship with any premises on which they are located;
- d. the effect of the proposal on permanent redevelopment of the land;
- e. public safety resulting from the positioning of the design of the display;
- f. the ease with which the structure is capable of being satisfactorily maintained;
- g. the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
- h. the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development;
- i. the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
- j. the number of advertisements in the locality and their cumulative effect on visual amenity.

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

DC15.3 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.

Reasons: The Council accept that advertisements can have a positive role in improving the quality of the visual environment in the City - examples are given in policy DC15.2. At the same time, there is the need to maintain public safety, avoid clutter, and safeguard the particular features of buildings or land.

Issues

In line with the Town and Country Planning (Control of Advertisement) Regulations 2007 and Chapter 12 of the NPPF, the issues that are material considerations in this application are visual amenity and public safety. The Council has determined that there are no public safety issues and so visual amenity is the only issue under consideration.

Principle

The development is for the installation of advertisements to include 1 x post mounted pictorial sign, 2 x sets of sign written house name letters, 2 x post mounted welcome signs and 1 x sign written directional sign, following removal of projecting sign.

Following receipt of the original scheme, the Council expressed its concerns with the visual impact of the proposal due to the number and design of signs which it determined would benefit from being rationalised and reduced. One of the post-mounted welcome signs was therefore deleted from the scheme, however, none of the other recommendations were reflected in the revised submission.

The amended scheme continues to present concerns and is therefore unacceptable in principle.

Visual amenity

The post-mounted directional signage (numbered 03) together with the proposal for the free-standing totem sign (sign 01) would be visually prominent on the front boundary to the extent that they would dominate and form a visually intrusive addition to the street scene which has a high amenity value.

This corner of Wilmslow Road generally has an arcadian character owing to the extent and maturity of tree cover, both on street and in neighbouring parks and gardens. This character has been further strengthened by the gains in reducing visual clutter through the approved landscaping in applications (130897/FO/2021 and 130898/LO/2021). Furthermore, the pub does not stand in isolation when viewed from the east as there are two other buildings, another public house, the Eagle Gate to Parsonage Gardens and a restaurant which are read in the same context. The signage is assessed against this background.

Sign 03 is directional welcome signage that is intended to alert and direct motorists to the pub car park when approaching the site from the east along Wilmslow Road. The signage would be sited on a recently landscaped area alongside the vehicular access to the side car park. During negotiations, the Council acknowledged that some form of directional signage in this location would be acceptable given that the pub is set back so far from the highway on a bend in the road that it is not visible to motorists approaching from the east. By contrast, those approaching along Wilmslow Road from the north have a clear view of the pub which is prominent over a long range before the road bends to the left.

The amended sign, (03), has been reduced by 0.4 metres in height. It would stand 1.8 metres above ground level on 2 x 700mm thick posts and is 1.5 metres in width. This is considered unnecessarily large to attract motorists' attention and would represent an obtrusive and overly prominent feature that would detract from the character of the site and the wider area. At this height and scale, it would also be seen in the context of the two other buildings and the Eagle Gate on the bend in Wilmslow Road with their associated signage, and the totem sign, having a cumulatively cluttered appearance.

Sign 01 is proposed to replace the existing totem sign standing next to the railings on the Wilmslow Road frontage. There is a tree in front of the sign on approach from the east. However, the replacement sign has a much more prominent appearance due to the colour and thickness of the totem post, together with the lowered height above ground level of the sign itself.

The Council advised the agent that a bespoke solution was needed on the site with less prominent signage and on slimmer posts to reduce their cumulative impact. A revised scheme was submitted which removed a second 'welcome' sign on the western boundary, however, the remaining signage as originally submitted was retained in the revised scheme. The Council further suggested to the agent that if the posts could not be made slimmer, consideration should be given to reducing their visual impact by colour-coating to a darker colour. No response was received in relation to this, and the application has therefore been determined on the basis as revised.

An objection was received on notification of the application by a local resident who is concerned about the visual impact of the signage. The Council shares those concerns with regards to the cumulative impact. The Council does not however agree that some form of directional signage and the totem sign are unacceptable in principle. Both the Town and Country Planning (Control of Advertisements) Regulations 2007 and paragraph 136 of the NPPF underline the necessity of advertisements to support businesses which is essential to maintaining economic growth. The other issue cited, relating to ownership of the land is not material to assessment of the proposal,

whilst comments in relation to the impact on the Conservation Area and listed buildings, are discussed in the accompanying application listed building application 133891/LO/2022.

Conclusion

The proposed directional signage (03) and sign (01) by reason of their height, scale, materials, and cumulative impact, represent an over-dominant and visually obtrusive form of development within the street scene which has a high amenity value. The proposal would therefore have an unacceptable and detrimental impact upon the visual amenity and character of the street scene, contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, Chapter 12 of the National Planning Policy Framework – ‘Achieving Well-Designed Places’ (NPPF 2021), saved policies DM1 and SP1 of the Manchester Core Strategy and saved policies DC15.1 and DC15.2 (Advertisements) of the Unitary Development Plan for the City of Manchester.

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: Refuse

Article 35 Declaration

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

The proposed directional signage (03) and sign (01) by reason of their height, scale, materials, and cumulative impact, represent an over-dominant and visually obtrusive form of development within the street scene which has a high amenity value. The proposal would therefore have an unacceptable and detrimental impact upon the visual amenity and character of the street scene, contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, Chapter 12 of the National Planning Policy Framework – ‘Achieving Well-Designed Places’ (NPPF 2021), saved policies DM1 and SP1 of the Manchester Core Strategy and saved policies DC15.1 and DC15.2 (Advertisements) of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Didsbury Civic Society

1 Skylark Close, Manchester, M20 2FQ

3 Skylark Close, Manchester, M20 2FQ

2 Skylark Close, Manchester, M20 2FQ

High Bank, Stenner Lane, Manchester, M20 2RQ

Flat At, Ye Olde Cock Inn, 848 Wilmslow Road, Manchester, M20 2RN

Flat At, Didsbury Hotel, 852 Wilmslow Road, Manchester, M20 2SG

844 - 846 Wilmslow Road, Manchester, M20 2RN

Ye Olde Cock Inn, 848 Wilmslow Road, Manchester, M20 2RN

Newlands, Stenner Lane, Manchester, M20 2RQ

Fernbank, Stenner Lane, Manchester, M20 2RQ

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 - Didsbury St James Conservation Area 1970

Historic Landfill Site 250m Buffer -

Area Team Boundary - Name: SOUTH