

DELEGATED REPORT

Report by Helen Goldsbrough	Date of report: 24/11/2020	Ref: 65620/FUL
Registration: 06/10/2020	LDfC: 03/11/2020	Expiry Date: 01/12/2020
Site Visit: 23/07/2020	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: MIOT

Proposal: 1 No. internally illuminated digital LED screen

Location: 219 Bury Old Road, Prestwich, Manchester, M25 1JF

Description

The application relates to an end terraced property on the junction of Bury Old Road and Whittaker Lane. The property has a hairdressers at ground floor, with what appears to be a separate residential accommodation at first and second floor. The property has existing signage at ground floor that relates to this ground floor unit, and a static first floor hoarding that faces towards Whittaker Lane.

Advert consent is sought for the erection of 1 x no. internally illuminated digital LED screen. The proposed screen would 3000mm high and 1500mm wide and affixed to the building at first floor. The frame would be constructed from Lightweight Steel, powder coated black and fixed tight to the brickwork with anchors, and a 70mm embedment into brickwork.

Relevant Planning History

55618 - 1 No. internally illuminated projecting sign; 1 No. non-illuminated fascia sign - Approve with Conditions 31/10/2012

65621 - 1 No. internally illuminated digital LED screen - pending

12/0521 - Unauthorised Advertisements - 01/01/2013

Publicity

Neighbour letters sent 12/10/2020. No representations received.

Statutory/Non-Statutory Consultations

Traffic Section - request for condition in relation to a method statement for the erection of a digital screen.

Transport for Greater Manchester - no objections raised.

Pre-start Conditions - Agreed by agent

Unitary Development Plan and Policies

EN1/2	Townscape and Built Design
EN1/9	Advertisements
HT6/1	Pedestrian and Cyclist Movement
HT6/2	Pedestrian/Vehicular Conflict
HT2/1	The Strategic Route Network
EN1/7	Throughroutes and Gateways

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF) and the adopted Bury Unitary Development Plan (UDP) together with other relevant material planning considerations. The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP Policy will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimization;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

Design and Layout

UDP Policy EN1/7 - Throughroutes and Gateways is concerned to improve the quality of development along throughroutes and at gateways, and will require new proposals fronting major throughroutes and at the identified gateways to display a high standard of design and landscaping.

UDP Policy EN1/2 - Townscape and Built Environment seek to prevent unacceptable adverse effect on the particular character and townscape of the Borough's towns, villages and other settlements.

The area is mixed use in nature with commercial properties at ground floor, and residential properties at first and second floor. To the north of the site there is a car park and metrolink station, to the east is Heaton Park. Signage within the immediate street scene tends to be limited to fascia signs above windows of ground floor businesses, however there is an existing first floor sign at this location. Whilst the proposed signs would have some prominence in the street scene it would be narrower and shorter in height than the hoarding that it would be replacing. The proposed signage is considered to be suitably aligned and would not project excessively from the front elevation of the existing building due to the use of anchors to embed the steel frame into the brickwork of the Whittaker Street frontage to the and as such the proposed signs would be acceptable.

Highways

The proposal site is on a junction of Bury Old Road and Whittaker Lane, adjacent to the A665 Bury Old Road/Whittaker Lane signalised junction. Bury Old Road is part of the strategic route network as identified under UDP Policy and as such the highways team have requested a condition for a method statement/traffic management plan that details how the screen will be erected that incorporates appropriate traffic management arrangements, pedestrian protection measures and retention of adequate pedestrian facilities/access arrangements on the Bury Old Road/Whittaker Lane footways in the interests of pedestrian and road safety.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.
- 2 This decision relates to drawings numbered Site Location Plan, Block Plan and 20-154.A1.001 and the development shall not be carried out except in accordance with the drawings hereby approved.
Reason. For the avoidance of doubt and to ensure a satisfactory standard of design pursuant to the policies of the Bury Unitary Development Plan listed.
- 3 The development hereby approved shall not be commenced unless and until a method statement/traffic management plan for the erection of the digital LED screen immediately adjacent to the A665 Bury Old Road/Whittaker Lane signalised junction, incorporating appropriate traffic management arrangements, pedestrian protection measures and retention of adequate pedestrian facilities/access arrangements on the Bury Old Road/Whittaker Lane footways that abut the site, has been submitted to and approved by the Local Planning Authority. The measures subsequently approved shall be implemented and maintained for the duration of the works that affect the adjacent adopted highway.
Reason. In the interests of pedestrian and road safety pursuant to Bury Unitary Development Plan Policies HT6/1 - Pedestrian and Cyclist Movement, HT6/2 - Pedestrian/Vehicular Conflict, HT2/1 - The Strategic Route Network, EN1/2 - Townscape and Built Design and EN1/9 – Advertisements.

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<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
Helen Goldsbrough	24/11/2020	DM	27/11/2020