

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 27/09/2024	Ref: 71030/ADV
Registration: 26/08/2024	LDfC: 19/09/2024	Expiry Date: 21/10/2024
Site Visit: 12/09/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: ADVT

Proposal: 1 No. external fascia sign

Location: Whitefield Garrick Theatre, Bank Street, Whitefield, Manchester, M45 7JF

Description

The application relates to a theatre building which is located on a side street within Whitefield District Shopping Centre.

The application proposes 1 no external fascia sign.

The sign would be fixed on the southern gable end, with the top of the sign level with the roof eaves.

The sign would be constructed of wood, green in colour with white lettering.
Dimensions - H155cm, W120cm, D18mm.

The sign would be illuminated by two projecting LED lamps and angled down towards the sign.

Relevant Planning History

Single storey extension with basement - Approved 13/9/2013

Publicity

N/a

One letter of support received -

- Would like to support this application for the new signage. The Whitefield Garrick is a great asset to the Whitefield community. Better signage will ensure more people are aware of the building and are able to enjoy the theatre.

Statutory/Non-Statutory Consultations

Traffic Section - No objection, requiring the direction, fixing and colour of the external lighting shall be to the satisfaction of the Local Planning Authority.

Theatres Trust - Support

Pre-start Conditions - Not relevant

Development Plan and Policies

NPPF	National Planning Policy Framework
S1/3	Shopping in District Centres
EN1/2	Townscape and Built Design
EN1/9	Advertisements

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), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within 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 and PfE Policies 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 victimisation;

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.

Policy EN1/9 - Advertisements seeks to control advertisements in the interests of amenity and public safety.

Amenity

The sign would be positioned on the end gable which faces the side road and would be modest in size and design and of a heritage and traditional racing green colour.

It would not be prominent in the streetscene and considered not to have an adverse impact

on the amenity of the area.

The proposed development is therefore considered to be acceptable and would comply with Policy EN1/9.

Public highway/safety

The sign would be located on the upper part of the side gable wall and would not obstruct the pedestrian footway or highway and would not have moving images.

The Highway Section have raised no objection but requiring the direction, fixing and colour of the external lighting to be to the satisfaction of the Local Planning Authority.

The proposed plans show the position and fixing of the sign and illumination pointing downwards and as such a condition is considered unnecessary in this case.

Given the position, size and direction of the sign, the proposed development is considered to be acceptable and would comply with Policy EN1/9.

Theatres Trust response

There is currently little signage, consisting of just a fascia sign above the theatre's entrance. This proposal will add a sign with the theatre's name and logo to its south-east elevation, with downlighting to provide some illumination at night.

The Theatres Trust consider this will help enhance the visibility and prominence of the theatre, assisting with wayfinding and consider the proposal to be sensitive to its location, and do not consider that it would give rise to unacceptable highway impacts or to the amenity of nearby properties.

The Theatre Trust therefore support the granting of advertisement consent.

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 This decision relates to drawings -
side elevation of Whitefield Garrick Theatre and measurement document received 28/8/24 and application form received 5/8/24
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 and Places for Everyone Joint Development Plan listed.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT	27/9/24	DM	01/10/2024

