

**DELEGATED REPORT**

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| <b>Report by</b> Jane Langan    | <b>Date of report:</b> 25/08/2023 | <b>Ref:</b> 69897/ADV          |
| <b>Registration:</b> 31/07/2023 | <b>LDFC:</b> 21/08/2023           | <b>Expiry Date:</b> 25/09/2023 |
| <b>Site Visit:</b> 07/08/2023   | <b>Site Notice:</b> N/A           | <b>Press Date:</b> N/A         |
| <b>Objections:</b>              | <b>Con Area:</b>                  | <b>Adv Type:</b> N/A           |
| <b>Reason for Delay:</b>        |                                   | <b>EIA:</b> NA                 |
| N/A                             |                                   | <b>Dec Level:</b> DEL          |
|                                 |                                   | <b>Stat Class:</b> ADVT        |

**Proposal:** Internally illuminated fascia signage including logo sign and brand lettering; Existing projecting sign retained with new internally illuminated double sided brand logo

**Location:** 25 Central Street, Bury, BL9 0JN

**Description**

The application is for advertisement consent for replacement signage for a unit within a pedestrian shopping area of the town centre to be occupied by a Starbucks coffee shop. It comprises of :-

- Retention of the existing black fascia panel and addition of internally illuminated opal acrylic lettering 0.3m high and 2.88m across and an internally illuminated 0.75m diameter logo in opal acrylic with green vinyl
- The existing internally illuminated projecting sign would be retained and the acrylic/vinyl panel replaced with the same logo as the fascia sign

**Relevant Planning History**

None.

**Publicity**

None.

**Statutory/Non-Statutory Consultations**

None.

**Pre-start Conditions** - Not relevant.

**Unitary Development Plan and Policies**

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) 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 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.

**Amenity** - The addition of individual lettering and a logo is proposed to the panel above the shop entrance. The character of the signage to the shopping centre is generally lettering mounted on the glazing or internally hung. There are however a number of fascia panel signs with internally illuminated lettering. At this particular unit the shop front is not flush, which many of the units in the development are. The shop front glazing is set back and the signage hung from the steel work that runs above the shop front level to the units. There is no record of advertisement consent for the existing sign for the previous tenant. The main lettering to this sign appears overlarge and there is further text below which adds clutter. The proposed sign would be of a more simple design in keeping with the character of the retail development. The projecting sign would have the logo replaced with the existing frame retained which is the same size and position as the other projecting signs to the units along the row of shops.

**Safety** - The signs are located where they would not cause hazard to pedestrians. Luminance levels are noted to be 420cdm2 which would be acceptable. As the area is pedestrian only a condition for luminance levels is not necessary and an informative is added.

The proposal complies with UDP Policy EN1/9 - Advertisements.

**Recommendation:** Approve with standard conditions

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| <u>Case Officer</u><br>JL | <u>Date</u><br>25/08/23 | <u>Sign off Officer</u><br>DM 25/08/23 | <u>Date</u> |
|---------------------------|-------------------------|----------------------------------------|-------------|