

DELEGATED REPORT

Report by Helen Pressley	Date of report: 29/04/2025	Ref: 71664/ADV
Registration: 13/03/2025	LDfC:	Expiry Date: 08/05/2025
Site Visit: 29/04/2025	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: BURY	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: ADVT

Proposal: Installation of replacement signs to include: 1x Externally illuminated double sided pictorial projecting sign, 2x Externally illuminated fascia signs, 2x amenity boards, 2x poster cases and 1x sign written logo

Location: Knowsley Hotel, Haymarket Street, Bury, BL9 0AY

Description

The application relates to the Knowsley Hotel public house which is located on Haymarket Street. The site is located within Bury Conservation Area.

Advert Consent is requested for:

- 1x Externally illuminated double sided pictorial projecting sign 900mm x 1200mm
- 2x Externally illuminated fascia signs 3500mm x 500mm
- 2x amenity boards 790mm x 1000 mm
- 2x poster cases 664mm x 910mm
- 1x sign written logo 699 mm x 748mm

Relevant Planning History

47950 - Erection of a single arc fabric canopy to provide covered smoking area - Approve with Conditions 21/06/2007

50074 - Single storey rear extensions; canopy over rear patio; elevational alterations to front elevation; new entrance formed to side elevation; enclosure of rear yard on Moss Street through the closure of existing gated opening -Refused 08/07/2008

50318 - Single storey extension at rear; creation of new entrance on Moss Street; provision of outdoor seating area at rear (Resubmission) - Approve with Conditions 16/09/2008

50589 - Two storey extension at front and single storey extension at rear - Approve with Conditions 07/11/2008

50695 - Various external illuminated signs and non-illuminated signs (retrospective) - Approve with Conditions 17/12/2008

64211 - 2 no. externally illuminated fascia signs, 1 no. externally illuminated projecting sign, 10 no. non illuminated hoarding signs, 3 no. internally illuminated brass lanterns - Approve with Conditions 12/07/2019

Publicity

N/A

Statutory/Non-Statutory Consultations

Traffic Section - Condition requested in relation to luminance

Conservation Officer - No objections

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/9	Advertisements
EN1/4	Street Furniture
EN1/7	Throughroutes and Gateways
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
S2/3	Secondary Shopping Areas and Frontages
NPPF	National Planning Policy Framework

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.

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the locality, scale or the existing building and the land use and be considered on their amenity and safety.

Visual Amenity

The site is located within Bury Conservation Area. As the site is located within the Conservation Area it is necessary to consider the proposal in terms of UDP Policies EN2/1 - Character of Conservation Areas and EN2/2 - Conservation Area Control of the UDP. Policy EN1/2 - Townscape and Built Design seeks to ensure that any proposals would not have an adverse impact on the particular character and townscape of an area.

The proposed signage would largely replace signage in similar locations on the existing building, but would be of a different style. It is considered that the proposed signage would be suitably aligned in relation to the openings and architectural features of the building and would not be overly dominant within the streetscene.

Given that the signage, largely relates to replacements of existing advertisements it is considered that the proposal would preserve the character of the conservation area.

Highway Safety

The signs would not be located where they would not cause hazard to pedestrians or motorists.

Highways have asked for a condition to be attached to restrict the luminance of the proposed lighting to avoid undue distraction to traffic.

Having regard to the above, the proposal is considered to be acceptable and complies with UDP Policy EN1/9 – Advertisements.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 1 The luminance of the signs shall not exceed 250cd/m² each.
Reason. To avoid undue distraction to traffic in the interests of road safety and to protect the amenity of adjoining occupiers pursuant to policies EN1/4 - Street Furniture, EN1/7 - Throughroutes and Gateways and EN1/9 - Advertisements of the Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
HP 29/04/2025			