

DELEGATED REPORT

Report by Jennie Townsend	Date of report: 21/02/2022	Ref: 67877/ADV
Registration: 06/12/2021	LDfC: 12/01/2022	Expiry Date: 31/01/2022
Site Visit: 24/12/2021	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: RAMS	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: ADVT

Proposal: 1 No.non-illuminated fascia sign

Location: 62 Bridge Street, Ramsbottom, Bury, BL0 9AG

Description

The application relates to a ground floor shop unit which is part of a terraced row in Ramsbottom Town centre and also within the Ramsbottom Conservation Area. The shop is a hot food takeaway.

An application for advert consent for a fascia sign was refused in February 2021 due to the size, siting and design of the advert and which was considered to be detrimental to the visual amenity of the building and character of the Conservation Area.

This application also seeks consent for a fascia sign.
The sign would comprise individual stainless steel lettering, 150mm high on 25mm spacers.

It is also proposed to paint the shop frontage with a heritage green colour.

Relevant Planning History

62200 - Prior approval for proposed change of use from shop (Class A1) to cafe (Class A3) - Prior Approval Required and Granted 23/01/2018
65723 - Change of Use from cafe (Class A3) to hot food takeaway (Class A5), to include extract flue and staircase at the rear - Approve with Conditions 08/10/2020
66313 - 1no. non-illuminated fascia sign - Refused 04/02/2021
67876 - Installation of refrigeration plant with pitched slate roof covering at rear - current application
19/0046 - Change of use of first floor flat to business use - 01/04/2019
20/0368 - Breach of condition of planning permission 65723 -
21/0013 - Illuminated neon sign to the rear of the front glazing -

Publicity

Non required

Statutory/Non-Statutory Consultations

Conservation Officer - no objection

Pre-start Conditions - Not relevant

Unitary Development Plan and Policies

EN1/9	Advertisements
EN2/1	Character of Conservation Areas
EN2/2	Conservation Area Control
EN1/8	Shop Fronts
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) 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.

Visual amenity - The application site is within Ramsbottom Conservation Area. It is not listed or considered to be a Non-Designated Heritage Asset.

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

The proposal would be visible in the street scene. The sign would consist of individual

letters attached to the original fascia of the shop front. The lettering would not cut across or mask any architectural feature of the shop front or by virtue of their size, position and design dominate the building visually or cause visual harm the conservation area.

As such the impact of the proposal on the conservation area is considered to be neutral and therefore would preserve the character and appearance of the conservation area.

Highway safety - The sign would be located on the existing fascia and not project over the public highway. There would be no impact on the safety of highway users.

As such the proposed signage is considered to be acceptable.

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 Existing and proposed signage PM7-04; Block plan PM7-03; Location plan PM7-00 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.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
JT 21/2/22			