

DELEGATED REPORT

Report by Dean Clapworthy	Date of report: 09/05/2024	Ref: 70598/ADV
Registration: 25/03/2024	LDFC:	Expiry Date: 20/05/2024
Site Visit: 05/04/2024	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: ADVT

Proposal: Internally illuminated projecting sign; internally illuminated fascia sign; internally illuminated ATM surround signage and safety manifestation vinyl

Location: 10 Central Street, Bury, BL9 0JN

Description

The proposal relates to a contemporary, largely glazed shopfront located within a commercial row in Bury town centre.

The proposal is for advertisement consent for an internally illuminated projecting sign; internally illuminated fascia sign; internally illuminated ATM surround signage and safety manifestation vinyl.

Relevant Planning History

No relevant history

Publicity

N/A

Statutory/Non-Statutory Consultations

N/A

Pre-start Conditions - Applicant/Agent [Not relevant/has/has not] agreed with pre-start conditions

Development Plan and Policies

EN1/9	Advertisements
S1/4	Local Shopping Centres
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.

ASSESSMENT

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

The NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built natural environment, but that the control over outdoor advertisements should be efficient, effective and simple in concept and operations. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the Local Planning Authority's detailed assessment.

Amenity

The proposal relates to a modern commercial unit with a largely glazed frontage within a uniform row of similar units.

The proposed signage would represent a refreshment of the corporate branding for the applicant and would be applied to the principal elevation of the commercial building.

The signage would be to the same scale and would be applied to the same position upon

the shop front. The changes would be subtle and would represent a negligible change visually.

It is therefore considered the proposal would be compliant with the requirements of the above UDP policy and of the NPPF.

Safety

Public safety is defined as matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians

The projecting sign would be positioned such that 3.9m head room (for passing pedestrians) would be maintained.

The proposal would not impact upon public safety and would comply with the above UDP Policy and the NPPF.

Conclusion

The proposed advertisements would not have a detrimental impact on amenity and public safety. The proposal would be compliant with the requirements of the above UDP Policy and the NPPF and accordingly it is recommended that the advertisements should be approved.

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
Location Plan dated 04/04/2024
Site Plan dated 04/04/2024
Proposed External Elevation (Dwg No. PR.00.E1 D)
External ATM dated 15/03/2024
Sign XX - Window Graphics dated 15/03/2024
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>
DSC	09/05/2024	DM -	09/05/2024