

DELEGATED REPORT

Report by Sam Summers	Date of report: 11/02/2022	Ref: 67795/ADV
Registration: 15/11/2021	LDFC: 15/12/2021	Expiry Date: 10/01/2022
Site Visit: 21/01/2022	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: ADVT

Proposal: 30 no. non illuminated fascia signs & 20 no. non illuminated signs

Location: B & Q Plc, Bridge Hall Lane, Bury, BL9 7PB

Description

The application relates to a B&Q store off Bridge Hall Lane. The site has residential properties to the North and East, a business park to the South and a motorway to the West. The site comprises a detached retail unit with parking at the west of the site. The entrance to the building is located to the West facing the motorway.

Advert consent is sought for new signs that comprise:

- 1 No. B&Q totem sign measuring 1600mm x 1500mm located off highway near roundabout
- 1 No. Free standing B&Q 'car park' directional sign measuring 1000mm x 1500mm located off highway near roundabout
- 1 No. Free standing B&Q 'car park' directional sign measuring 1000mm x 1500mm located to south of site near car park entrance
- 1 No. Free standing B&Q 'car park' directional sign measuring 1000mm x 1500mm located to south of site near car park entrance
- 1 No. Free standing B&Q 'car park/deliveries' directional sign measuring 1000mm x 1500mm located to south of site near car park entrance
- 1 No. Free standing B&Q 'car park/deliveries' directional sign measuring 1500mm x 1500mm located to south of site near car park entrance
- 1 No. Free standing B&Q 'no turning in service yard sign measuring 1500mm x 1500mm located to south of site near car park entrance
- 2 No. B&Q totem sign measuring 1750mm x 4200mm located to south west of site near the motorway
- 1 No. Entrance Fascia aluminium sign measuring 1900mm x 2275mm over the main entrance on the west elevation.
- 1 No. Orange vinyl glazing panels fascia sign measuring 6500mm x 11000mm over the main entrance on the west elevation
- 1 No. B&Q fascia sign measuring 3000mm x 3000mm over the main entrance on the west elevation
- 1 No. 'Shop day or night' fascia sign measuring 10000mm x 750mm over the main entrance on the west elevation
- 2 No. Exit fascia sign measuring 600mm x 1600mm next to exit at front of building
- 1 No. Trade Entrance fascia sign measuring 1520mm x 2090mm at north end of front of building
- 1 No. Trade Point internally illuminated fascia sign measuring 4000mm x 1060mm at north end of front of building
- 3 No. Parent & Child fascia sign measuring 450mm x 450mm spread along front of building
- 3 No. Disabled Parking fascia sign measuring 450mm x 450mm spread along front of building

DELEGATED REPORT

- 6 No. 'Disabled parking' signs measuring 450mm x 2500mm located in car park in front of disabled bays
- 5 No. Trolley park safety notice signs measuring 1000mm x 2500mm spread throughout car park
- 1 No. Garden centre vinyl window fascia panels measuring 15200mm x 2000mm at south end of front of building.
- 4 No. Entrance/exit No Entry/Exit fascia signs measuring 350mm x 70mm on doors at main entrance/exit on west elevation
- 8 No. Automatic Door Keep Clear fascia signs measuring 1500mm x 70mm on doors at main entrance/exit on west elevation
- 2 No. Damage liability notice fascia signs measuring 600mm x 330mm near main entrance on the west elevation
- 1 No. Bulk Collections fascia sign measuring 450mm x 450mm at north end of front of building

Relevant Planning History

None

Publicity

None

Statutory/Non-Statutory Consultations

Traffic Section - response received - 04/02/22

Pre-start Conditions - None

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.

UDP Policy EN1/9 relates to adverts and signage and 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.

Amenity - The signage would be located within a commercial site. The signage is screened from the residential properties to the north by existing landscaping. The building would screen the signs from view of the buildings to the East. The two signs near the roundabout and all free standing directional signs located to the South of the site would be replacing existing similar signs and as such would not create additional impact on the visual amenity of the street scene.

The 2 totem signs located near the motorway would replace two existing signs and would be placed just above two existing signs belonging to another retailer.

All the signs on the building itself are in keeping with the buildings general aesthetic and would not be considered out of place. The signs throughout the car park would be viewed within the context of the site and would not lead to signage clutter.

Safety - The signs are positioned where they will not cause hazard to pedestrians or motorists. There are no illuminated signs proposed.

Traffic response - The applicant has removed the illuminated sign so the recommended condition would no longer be relevant. No objections raised.

The proposal would comply with UDP Policy EN1/9 - Advertisements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

DELEGATED REPORT**Conditions and Reasons:**

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
SS	11/02/2022		