

DELEGATED REPORT

Report by Claire Booth	Date of report: 24/01/2025	Ref: 71303/ADV
Registration: 03/12/2024	LDfC: 26/12/2024	Expiry Date: 28/01/2025
Site Visit: 20/12/2024	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: NONE
Reason for Delay:		EIA: NA
N/A		Dec Level:
		Stat Class: ADVT

Proposal: 1 no. non illuminated external fascia sign and 1 no. non illuminated external hanging sign

Location: 463 Bury New Road, Prestwich, Manchester, M25 1AD

Site Location and Description of Development

The application site related to a corner property located on Bury New Road on the corner of Clifton Road. The building is a traditional red brick building with stone heads, cills and door surrounds. It also has a chamfered corner with the entrance door located on the junction of the above-mentioned roads. The building was formerly in use as a bank (NATWEST) and falls within Use Class E .

The application site is located within Prestwich Town Centre, as defined within the adopted Development Plan within an adopted Secondary Shopping Area and Frontage, as defined within the adopted Unitary Development Plan. The building is considered to be a non-designated heritage asset (NDHA).

The application initially sought advertisement consent for the display of three advertisements:

- i) 1 no. x non illuminated external fascia sign above the entrance doorway located within the chamfered corner, comprising individual letters stating 'GAILS';
- ii) 1 no. x non-illuminated hanging sign; and,
- iii) 1 no. A Board

Due to the Council's concerns over the proposed A-Board and its obstructive siting on a pavement being harmful to highway safety, particularly to pedestrians who are partially sighted, the 1 no. A Board has thus been deleted from the application. An amended Plan has been received on the 21 January to reflect its removal.

Relevant Planning History

58642 - 3 no. internally illuminated fascia signs. 1 no. internally illuminated hanging sign. 1 no. internally illuminated ATM sign - Approved with Conditions, 08/06/2015

61654 - Alterations to the size of the ATM aperture to accommodate new ATM machine and surround - Approved with Conditions, 28/07/2017

61655 - 1 no. 420mm high NatWest marketing tablet with internally illuminated lettering, logo and accent lines - Approved with Conditions, 28/07/2017

66134 - Replacement of A/C system, external condenser unit to be replaced with new, New roof edge protection to the existing low parapet wall - Convert existing window to access door to flat roof - Approved with Conditions, 08/12/2020

69889 - Remove all fascia signage, marketing and ATM and infill with matching brickwork
- Approve with Conditions, 01/12/2023

Publicity

None.

Statutory/Non-Statutory Consultations

Traffic Section - Raised objections to the A - board initially proposed as it would be an isolated trip hazard to partially sighted pedestrians.

Conservation Officer - No objections, provided the A board is removed due to it creating clutter against a traditional building, a non-designated heritage asset.

Prestwich Village Neighbourhood Forum - No objections

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/9 Advertisements
NPPF National Planning Policy Framework
NPPG National Planning Policy Guide

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.

Principle of development

The Framework states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. These matters are considered below:

Amenity

The Framework 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.

NPPG Paragraph 79 states that the Local Planning Authority should consider the local characteristics of the neighbourhood, and whether the proposal is considered to be in scale and in keeping with those features.

The application site is located within Prestwich Town Centre and as stated above within a Secondary Shopping Frontage and Area. The building is sited opposite the entrance to the Longfield Centre retail area, so is in close proximity to the retail heart of the Town Centre.

The proposed fascia sign and hanging sign are both considered to be sympathetic in their form, design and appearance for the host building and within the street scene of traditional buildings and Prestwich Town Centre.

Public Safety

NPPG Paragraph 67 states that all advertisements are intended to attract attention, but proposed advertisements at points where drivers need to take more care are likely to affect public safety.

The proposed fascia sign and hanging sign are to be unilluminated and are at a height to not cause any public safety issues. The Local Highways Authority has also raised no objections to the proposed fascia sign or hanging sign.

Conclusions

The proposed advertisements would not have a detrimental impact on amenity or public safety and is therefore considered acceptable. It is thus recommended the amended proposals be given consent.

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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

Conditions and Reasons:

- 1 This consent relates to the following plans:

Drawing no. Location Plan - Planning Portal Reference: PP-13522352v1;
Drawing no. 1767 - AD-1006: Locality Plan AA;
Drawing no. 1767 - AD-1008 Rev. 2: Proposed Layout; and
Drawing no. 1767 - AD-1010 Rev. 2: Proposed Elevations AA.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	24/01/25	DM	27/01/25