

Application Number/s: 132698/LO/2022 & 132697/AO/2022

Applicant: Sonata Manchester Ltd

Agent: None

Location: Rear of 39-43 King Street, Manchester

Proposal: Installation of Signage

Ward: Deansgate

Description of Site and Surrounding Area

The application relates to 39-43 King Street, a Grade II listed building within Manchester City Centre. The application specifically relates to the rear entrance on St. Ann's Alley, which provides access to the basement bar. This part of the building is listed but is not historic. St. Ann's Alley is a narrow pedestrianised alleyway accessed from Cross Street to the east. The alley runs along the north rear) elevations of buildings on King Street and connects to St Ann's Courtyard to the west.

Description of Proposal

The application seeks permission for signage relating to the previously approved basement bar. The signage consists of:

- 1 externally illuminated flat panel sign in dark grey metal, to be 30mm deep, 645mm in width and 450mm in height to be attached to external wall.
- Internally illuminated projecting lantern sign with black metal frame and translucent Perspex with graphics, sign to project a maximum of 50mm from face of wall. Lantern sign to be a maximum height of 550mm and width of 350mm.

Publicity LBC

Site Notice/s Posted and Dates: Posted 19/01/22, Expired 09/02/22

Press Adverts Published and Dates: Published 25/01/22, Expired 15/02/22

Neighbour Notification: Notified on 19/01/22

Representations Received: No Objections

Consultations

Save Unitary Development Plan Policies:

List

Core Strategy Policies:

List

National Planning Policy Framework Policies:

List

Principle of Development

Proposed Use

Previously Developed Land

Surrounding Uses

Schedule of Accommodation to be Created/Lost

Design

Section 12 of the NPPF seeks to achieve well-designed places which are visually attractive as a result of good architecture, layout and appropriate and effective landscaping works. Proposals should also be sympathetic to local character, including the surrounding built environment and landscape setting.

Policy xx of ...

Site Layout

Scale and Massing

Detailed Design, Appearance and Materials

Trees and Landscaping

Design & Crime

Heritage

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting “special regard” will be given to the “desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. The effect of this section is that decision-makers considering harm to heritage assets cannot simply treat the desirability of preserving the setting of a listed building as a mere material consideration to which they can simply attach the weight they see fit in their judgement.

The statutory duty provided by section 66(1) of the Act goes beyond that and treats the preservation of the setting of a listed building as presumptively desirable. The effect of the statutory requirement is to impose a duty on decision-makers to give “considerable importance and weight” or “high priority” to the desirability of preserving listed buildings and their settings.

Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. It then continues to say that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that as heritage assets are irreplaceable any harm or loss “should require clear and convincing justification”.

Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, permission should be refused unless it can be demonstrated that substantial harm or loss is outweighed by substantial public benefits. Paragraph 134 states that where a proposal leads to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The significance of a heritage asset relates to the value of the asset because of its heritage interest which may be archaeological, architectural, artistic or historic. However, significance derives not only from an asset's physical presence but also from its setting. In the annex to the NPPF the setting of a heritage asset is described as "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral".

Amenity

UDP Policy DES7 states that development will not be permitted where it would have an unacceptable impact on the amenity of the occupiers or users of other developments.

Relationship to neighbouring properties

Highways, Accessibility and Parking

The NPPF (paragraph 35) identifies that development should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

It also confirms that planning decisions should take account of whether the opportunities for sustainable transport modes have been taken up, that safe and suitable access to the site can be achieved for all people, and whether improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. It confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (paragraph 32).

Environmental Protection

Air Quality

Waste

Noise

Land Contamination

Fumes & Odours

Trees

Ecology

Paragraph 175 of the NPPF states [amongst others] that 'when determining planning applications, local planning authorities should apply the following principle: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

Drainage

Flood Risk and Drainage

Biodiversity

Planning Obligations

Disabled Access

Other Issues not related to Planning

RECOMMENDATION:

That planning permission be granted subject to the following planning conditions:

That planning permission be refused for the following reasons