

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131701/AO/2021

Date registered valid: 5 November 2021

Proposal: Installation of 1 no. fascia sign and 1 no. projecting sign

Address: 5 St Marys Gate, Manchester, M1 1PX

Ward(s): Deansgate Ward

Applicant: Mrs Sara Humphries Greggs plc 12 Martin Dale, Loggerheads, Market Drayton, TF9 4DH

Agent (if any):

Case officer: Eve Woolstencroft
Tel: 0161 234 4533
Email: eve.woolstencroft@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 17 December 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 11 November 2021

Expired: 2 December 2021

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of Site/Area

This application relates to a former Lloyds Bank premises that is located at 5 St. Mary's Gate in the City Centre. The premises is located on the ground floor of the No. 1 Deansgate Building, although the unit has an existing internal mezzanine. The upper floors of No. 1 Deansgate are occupied by residential apartments and are separated from the ground floor commercial units as there is a gap in the building between the commercial premises and the residential apartments. The building is not listed and is not within a conservation area, however it is opposite the St., Ann's Square Conservation Area.

The site is approximately 60m from the listed Royal Exchange building. The area surrounding the application site is mostly commercial in nature, although there are some residential apartments such as those on the upper floors of the building. A variety of commercial uses surrounding the site.

Description of development

The submitted application seeks advertisement consent for the installation of 1 no. fascia sign and 1 no. projecting sign

Consultations & Notification Responses

Local residents were notified however no responses were received

Highways

FASCIA SIGN: The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.1m over the adopted highway. As such, a Projection over License will not be required. The proposed luminance of the sign is noted as 350 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 2.381m, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

PROJECTING SIGN: The proposed sign is not located on the adopted highway network. The proposed sign extends to a maximum projection of 0.8m over the adopted highway. As such, a Projection over License will be required. This is obtainable via Contact Manchester on 0161 234 5004 and is to be funded at the applicant's expense. The proposed luminance of the sign is noted as 350 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A sufficient headroom clearance of 2.429m, compliant with the 2.30m minimum, is noted and accepted by Highways. The proposed sign complies with carriageway clearance requirements and is therefore compliant with MCC recommendations.

DIGITAL SCREENS: The proposed digital screens are not located on the adopted highway network. The digital screens will be located along the St. Marys Gate elevation adjacent to the main entrance. The proposed digital screens do not extend over the adopted highway network. As such, a Projection over License will not be required. The location of the digital screens is not considered to generate any adverse impact for vehicles travelling along St. Marys Gate. The digital screens will not be illuminated. It is recommended that the following condition be attached to any approval of the application: Condition (a) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs. (b) No individual advertisements shall be displayed for duration of less than 10 seconds. (c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel. (d) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels. (e) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation. (f) The maximum luminance level of the advertisements displayed on the panel shall not exceed 300 cd/m² during non-daylight hours / inclement weather

GRAPHIC VINYL: The proposed graphic vinyl is not located on the adopted highway network. The proposed graphic vinyl does not extend over the adopted highway. As such, a Projection over License will not be required. The proposed graphic vinyl complies with headroom and carriageway clearance requirements.

SHOP FRONT: The proposed location of the entrance door extends only within the red-line boundary of the site and as such, does not impinge upon the adopted highway. The revisions to the front of the ground floor of the building incorporate a new flush glazed aluminium manual DDA compliant self-closing door which will serve as the principal pedestrian access to the building which is acceptable to Highways. It is requested that the door open inwards as Highways will not accept an outward opening door onto the adopted highway.

Policy

Town and Country Planning (Control of Advertisements) Regulations 2007

The Local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:

- (a) the provisions of the development plan, so far as they are material; and
- (b) any other relevant factors.
- (2) Without prejudice to the generality of paragraph (1)(b)—
 - (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
 - (b) factors relevant to public safety include—
 - (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
 - (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.
- (4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

The National Planning Policy Framework

The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.

The NPPF states that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, these are:

- a) an economic objective - to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective - to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The following specific policies are considered to be particularly relevant to the proposed development.

-Chapter 6: Building a strong, competitive economy - stresses that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. This chapter states that planning policies and decisions should recognise and address the specific locational requirements of different sectors.

- Chapter 12: Achieving well-designed places- Reflects upon the importance of design to the built environment and its contribution to sustainable development and making places better for people. With this in mind, the design of the substantive development has been assessed in relation to the quality and cohesion of its composite building, as well as the function and appearance of public and private spaces.

-Chapter 16: Conserving and enhancing the historic environment Paragraph 193 - 202- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

Manchester Core Strategy (2012)

Relevant policies SP1, EN1 and DM1

Unitary Development Plan for the City of Manchester (1995)

Extant policy DC14, DC18

Principle

There is no objection to the principle of the signs being displayed at the application site. As required by the Town and Country Planning (Control of Advertisements) Regulations 2007, matters relevant to the consideration of this application are amenity and public safety.

Amenity

The proposed signs would consist of a new fascia back panel with individual letter signage behind the glazing which is in line with the other units within this building. The proposed projecting sign has been revised to a 40mm depth to have a more slimline appearance. It is considered that overall the proposed signs would be proportionate to the existing building not have an adverse impact on its appearance within the street scene or the adjacent Conservation Area.

In view of the above the proposals are considered to be consistent with Core Strategy policy DM1 and saved policy DC14 contained in the UDP.

Public safety

It is not considered that the signage will give rise to any public safety concerns. No objections have been received from Highway Services and they have confirmed that the luminance levels of the sign does not exceed the maximum of 600 cd/m recommended.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and

owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Location Plan stamped as received by the Local Planning Authority on 20 September 2021.
- Existing & Proposed Elevations & Sections stamped as received by the Local Planning Authority on 22 October 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

3) The maximum luminance level of the advertisements hereby approved shall not exceed 350cd/m².

Reason - In the interests of pedestrian/highway safety and residential amenity enjoyed within the vicinity of the site, pursuant to policy DM1 of the Manchester Core Strategy.

Informatives

Appendix 1 – List of consultees & neighbours notified

Highway Services
Greater Manchester Police

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CITY1