

Planning

Growth & Development

Delegated officer report for planning application

Application no. 132075/LO/2021

Date registered valid: 29 October 2021

Proposal: LISTED BUILDING CONSENT 2 sets of halo illuminated text and 1 externally illuminated projection sign to replace existing

Address: St James Buildings , 79 Oxford Street, Manchester, M1 6FQ

Ward(s): Piccadilly Ward

Applicant: Mr Rob Weller Pizza Express Hunton House , Highbridge Estate, Oxford Road, Uxbridge

Agent (if any): Miss Natalie Long Technical Signs Hille Business Centre , 132 St Albans Road, Watford, WD24 4AE

Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 7 January 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

Printed: 17 November 2021 Expired: 8 December 2021

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 18 November 2021 Expired: 9 December 2021

Press advert

Published: 23 November 2021 Expired: 14 December 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order:

Description of area

Description of development

Consultations & Notification Responses

The application was advertised in the Manchester Evening News and on site as an application for Listed Building Consent and as affecting the setting of the Whitworth Street Conservation Area - no responses were received

Highway Services - have said that the projecting sign extends over the adopted highway and will need a projection over license and that any requirements for licensing / hoarding scaffolding, skips and any associated temporary management arrangements will need

discussion and agreement with the Council's Highway Applications and Network Resilience teams. Informatives attached to this permission will make the applicant aware of the above

Issues

The main issues for consideration relate to the acceptability of the proposed advertisement in terms of the impact on the character and appearance of the listed building and the Whitworth Street Conservation Area. The main policies that relate to the proposal are Section 16 of the National Planning Policy Framework (Conserving and enhancing the historic environment), and UDP policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings).

Visual amenity - The proposed signs are merely replacing existing signs which received advertisement consent in September 2011 (096570/AO/2011/C2). Those signs were designed in accordance with a signage strategy for the ground floor units at the building, would match the appearance of signage at existing ground floor units within the property and would have minimal impact on the historic fabric of the building.

The signs are not considered to detrimentally affect the character of the listed building or the character and appearance of the conservation area and are considered to relate well to the existing features of the building.

Given the above, the proposal is considered to be acceptable in terms of visual amenity in accordance with Section 16 of the National Planning Policy Framework (Conserving and enhancing the historic environment and UDP policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the City Council's Unitary Development Plan.

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

The application is approved on the basis that the proposal has been considered in terms of its impact on a listed building and highway safety and is in accordance with the City Council's Unitary Development Plan, in particular policies: DC18 on Conservation Areas, DC19 on Listed Buildings and DC14.5B (Shop Fronts and Related Signs) and is consistent with guidance in Section 9 (Promoting sustainable transport) and Section 16 of the National Planning Policy

Framework on Conserving and enhancing the historic environment and there are no other material considerations.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Drawings

The Location Plan, Site Plan The development hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

The Location Plan, Site Plan 596412-3 and drawing numbered 596412-2 received by the City Council as Local Planning Authority on 29th October 2021;

Documents

The Heritage Statement and Design and Access Statement received by the City Council as Local Planning Authority on 29th October 2021;

Other

The revised visual received by the City Council as Local Planning Authority via the email of 6th January 2022 from Natalie Long

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 and drawing numbered 596412-2 received by the City Council as Local Planning Authority on 29th October 2021;

Documents

The Heritage Statement and Design and Access Statement received by the City Council as Local Planning Authority on 29th October 2021;

Other

The revised visual received by the City Council as Local Planning Authority via the email of 6th January 2022 from Natalie Long

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.

Informatives

1) The proposed projecting sign extends over the adopted highway. As such, a projection over license will be required. This is to be funded at the applicant's expense and is obtainable via the following link:

http://www.manchester.gov.uk/directory_record/138255/projecting_overunder_the_highway/category/355/highways_and_pavements Or through Contact Manchester on Tel. 0161 234 5004.

2) Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicenses@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services

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

Conservation Area - Whitworth Street Conservation Area 1985

Area Team Boundary - Name: CITY2