

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131739/AO/2021

Date registered valid: 20 October 2021

Proposal: Fascia sign above the office entrance and projecting box sign close to coffee shop entrance (both on elevation facing Mosley Street) and projecting box sign close to gym entrance (on elevation facing Nicholas Street).

Address: Hyphen, 67 - 75 Mosley Street, Manchester, M2 3HR

Ward(s): Deansgate Ward

Applicant: Boutlbee Brooks Real Estate C/o Agent

Agent (if any): Mrs Diane Ellis Zerum 4 Jordan Street, Manchester, M15 4PY

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

Recommendation: Approve

Date of recommendation: 30 December 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 1 December 2021 Expired: 22 December 2021

Neighbour notifications

Printed: 1 December 2021 Expired: 22 December 2021

Site notice

Posted: 30 November 2021 Expired: 21 December 2021

Press advert

Published: 7 December 2021 Expired: 28 December 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: George Street Conservation Area 1985

Tree Preservation Order:

Description of Site/Area

The application site is located in the George Street Conservation Area, within Manchester city centre.

Mosley Street has been substantially redeveloped since the 1960s with a number of large scale office developments. As well as office uses, there are a variety of ground floor uses such as shops, cafes, financial and professional services. Buildings vary in height between three and 12 storeys.

The site faces on to Mosley Street, which is the main pedestrian route between two of the city centre's main public spaces (St Peter's Square and Piccadilly Gardens), and Nicholas Street. The street also includes one way traffic and two Metrolink tram tracks. To the east and south is Manchester's Chinatown district. Across the road on Nicholas Street is the Grade I listed City Art Gallery. West and north is Mosley Street and Manchester's central business district.

The building at 75 Mosley Street was built in 1964 - 66 for the Commercial Union Assurance and is six storeys above ground in height.

Planning consent to refurbish and extend the property was granted in July 2016 (111682/FO/2016/C2). This allowed for the formation of two retail / leisure units at ground floor for A1 (retail), A3 (cafes and restaurants) and A4 (drinking establishments).

Consent was subsequently granted in November 2017 to change the use of the upper basement floor (basement level one) to either Use Class A1 (Shops), A3 (Restaurants and Cafes), A4 (Drinking Establishments) or D2 (Assembly and Leisure)(gym/ fitness use only) with an entrance from ground floor.

Description of Development

In an application submitted earlier this year (130824/FO/2021 Reconfiguration of the ground floor commercial (including use for Use Classes E(a), E(b), E(d) and sui generis (drinking establishments and drinking establishments with expanded food provision) as well as the extension of upper basement commercial use into existing ground floor and installation of external extract louvre, together with associated development at Hyphen at 75 Mosley Street, Manchester, M2 3HR) the applicant stated that "Two operators have been identified for the two commercial units (a café in the Mosley Street unit at ground floor and a gym operator at upper basement and ground floor)". These operators now appear to have moved in and the signage for which advertisement consent is sought under the proposals under consideration is intended to make the public aware of the two businesses on ground level and the entrance to the building from Mosley Street to access the offices on upper floors.

The fascia sign will be mounted 2.99 metres above ground level and will have dimensions of 1m high and 5.175m wide. It will be 100mm thick and made from black fabricated aluminium. The letters will be mostly white and internally illuminated. They will be constructed from 5mm opal acrylic.

The two projecting box signs will be 600mm wide and 600mm high with a depth of 30mm and mounted 2.99 above ground level. The materials for the overall signs and the letters will be the same as for the fascia sign

Description of area

Description of development

Consultations & Notification Responses

Publicity - The application has been advertised in the Manchester Evening News as a Development Affecting a Conservation Area and Affecting a Listed Building. A site notice was also displayed.

2 representations supporting the proposals have been received as a result of this publicity. The writers make the following points:

- O people don't even realise the premises are a coffee shop;
- O the hospitality industry has been hit particularly hard by the pandemic and the premises are doing their best to recover. This job is made infinitely more difficult when the business can't increase brand awareness;
- O fascia or projection signs are 2 simple but key elements to any business;
- O the signage is necessary signage for all businesses to succeed.

Highway Services -The proposed projecting signs extend for a maximum of 0.6m over the adopted highway and as such require a projection over license.

The projecting signs comply with headroom and carriageway clearance requirements.

Environmental Health - have stated that the internally illuminated signage should be installed in accordance with the lighting levels in the application form.

Issues

The main issues for consideration relate to the impact of the proposals on visual amenity and public safety. The main policies that relate to the proposal are Section 12 (Achieving well-designed places) and Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), CC10 (A Place for Everyone), EN1 (Design Principles and Strategic Character Areas) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester and saved policy DC14 (Shop fronts and related signs), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Visual Amenity

The current proposals are significantly different from those originally submitted. Initially, it was proposed to display four box signs in addition to the fascia sign. It was considered that this would have an unacceptable impact on the Grade II* listed 38 & 42 Mosley Street and 57 Mosley Street to the north of the property and Grade II Manchester Art Gallery and Grade II listed 14 Princess Street to the south and on the George Street Conservation Area overall. Negotiations took place which resulted in the removal of two of the box signs from the application. In addition, the agent has stated in an email received 25/11/2021 that they have spoken to the applicant and they will remove the vinyl from the balustrade.

In view of this the current proposals are considered to be minimal and sympathetic to the character of nearby listed buildings.

The proposed signage would be subject to compliance with conditions, be respectful of the historical significance of the nearby listed buildings and is not considered to cause significant harm to the George Street Conservation Area.

Given the above, it is considered that, subject to compliance with conditions, the proposal would be consistent with paragraph 136 and 200 of the NPPF.

The proposals are also considered to be acceptable in terms of visual amenity including the impact on the character and appearance of the conservation area and the setting of the nearby listed buildings, policies EN3 (Heritage) and CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 (Shop Fronts and Related Signs), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Public Safety - Highway Services - have made the following comments:

The proposed projecting signs extend for a maximum of 0.6m over the adopted highway and as such require a projection over license.

The projecting signs comply with headroom and carriageway clearance requirements.

An informative advising the applicant that they are required to obtain a projection over license will be attached to this permission. The proposals are considered to be acceptable and accord with policies SP1 and EN1 of the Core Strategy for the City of Manchester (2012)

Amenity - Environmental Health - have stated that the internally illuminated signage should be installed in accordance with the lighting levels in the application form. The proposals are considered to accord with policies SP1 and EN1 of the Core Strategy for the City of Manchester (2012)

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

Officers have worked with the applicant in a positive and pro-active manner to seek solutions to problems arising in relation to dealing with the application. In the case of the application under consideration this has included negotiations to reduce the amount of proposed signage to achieve a satisfactory scheme.

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 drawings received via the email of 25th November 2021 from Diane Ellis, unless otherwise agreed in writing by the City Council as Local Planning Authority:

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policy DC19 of the Manchester Unitary Development Plan.

3) Within two months of the date of this permission the vinyls on the balustrade facing Nicholas Street and Mosley Street shall be removed in accordance with the email from Diane Ellis received 25th November 2021.

Reason

To avoid an unacceptable level of advertisement clutter on the premises which are located on a prominent position on Mosley Street, which is the main pedestrian route between the public spaces of St Peter's Square and Piccadilly Gardens, in accordance with policies EN1 (Design Principles and Strategic Character Areas), DM1 (Development Management) and SP1 (Spatial Principles) of the Core Strategy for the City of Manchester (2012) in particular, saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters) of the Unitary Development Plan (1995) and government guidance contained in chapter 12 of the National Planning Policy Framework (2021).

Informatives

1) The projecting signs will require a projection over licence which will be subject to the applicant's own expense with no cost to MCC. This can be arranged through 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
Environmental Health

Manchester Art Gallery, Mosley Street, Manchester, M2 3JL
Ground Floor, Permanent House, 71 Mosley Street, Manchester, M2 3HR
Apartment 103, The Arthouse, 43 George Street, Manchester, M1 4AB
GREGGS, Ground Floor Unit 7, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Basement Room A, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Amadeus House, 52 George Street, Manchester, M1 4ZZ
Suite 3A, 80 Mosley Street, Manchester, M2 3FX
Apartment 101, The Arthouse, 43 George Street, Manchester, M1 4AB
Flat At, 5 Nicholas Street, Manchester, M1 4HL
Third Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
Basement, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
83 Princess Street, Manchester, M1 4HH
Suite 3B, 80 Mosley Street, Manchester, M2 3FX
Ban Di Bul Restaurant, 77 Princess Street, Manchester, M2 4EG
Apartment 410, The Arthouse, 43 George Street, Manchester, M1 4AB
Basement, The Arthouse, 43 George Street, Manchester, M1 4AB
Ground Floor, The Arthouse, 43 George Street, Manchester, M1 4AB
35A - 39A George Street, Manchester, M1 4HQ
Basement Room D, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Fifth Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
Fourth Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
First Floor Front, Permanent House, 71 Mosley Street, Manchester, M2 3JN
First Floor Rear, Permanent House, 71 Mosley Street, Manchester, M2 3JN
Fifth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Fourth Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Third Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Abbey House, Mosley Street, Manchester, M2 3LW
Third Floor Inscape, Abbey House, 74 Mosley Street, Manchester, M2 3LW
First Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Basement And Ground Floor, 67 - 69 Mosley Street, Manchester, M2 3JE
Basement Room B, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Ground Floor Unit 5, Abbey House, 74 Mosley Street, Manchester, M2 3FX
Third Floor, 58 Mosley Street, Manchester, M2 3HZ
Apartment 403, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 401, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 202, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 107, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 309, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 106, The Arthouse, 43 George Street, Manchester, M1 4AB
Suite 8, 80 Mosley Street, Manchester, M2 3FX
Fourth Floor, 58 Mosley Street, Manchester, M2 3HZ
Second Floor, 58 Mosley Street, Manchester, M2 3HZ
Suite 5A, 80 Mosley Street, Manchester, M2 3FX
Apartment 112, The Arthouse, 43 George Street, Manchester, M1 4AB
Flat 8, 58 - 60 George Street, Manchester, M1 4HF
Apartment 306, The Arthouse, 43 George Street, Manchester, M1 4AB
80 Mosley Street, Manchester, M2 3FX
Apartment 409, The Arthouse, 43 George Street, Manchester, M1 4AB

Fifth Floor, Abbey House, 32 Booth Street, Manchester, M2 4AB
Ground Floor, Connaught Buildings, 58 - 60 George Street, Manchester, M1 4HF
Suite 2B, 80 Mosley Street, Manchester, M2 3FX
Flat 4, 58 - 60 George Street, Manchester, M1 4HF
Basement Room C, Abbey House, 74 Mosley Street, Manchester, M2 3WL
Cafe Nero, 80 Mosley Street, Manchester, M2 3FX
Suite 9, 80 Mosley Street, Manchester, M2 3FX
Seventh Floor, 58 Mosley Street, Manchester, M2 3HZ
Sixth Floor, 58 Mosley Street, Manchester, M2 3HZ
Suite 2A, 80 Mosley Street, Manchester, M2 3FX
K2 KARAOKE NIGHTCLUB, Ground Floor And First Floor, Amadeus House, 52 George Street, Manchester, M1 4HF
Permanent House, 71 Mosley Street, Manchester, M2 3JN
Apartment 102, The Arthouse, 43 George Street, Manchester, M1 4AB
Second Floor, Permanent House, 71 Mosley Street, Manchester, M2 3JN
71A Mosley Street, Manchester, M2 3JN
71 Mosley Street, Manchester, M2 3JN
Apartment 108, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 404, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 303, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 302, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 208, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 205, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 203, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 406, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 407, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 402, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 307, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 210, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 305, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 201, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 310, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 206, The Arthouse, 43 George Street, Manchester, M1 4AB
5 Nicholas Street, Manchester, M1 4HL
14 Nicholas Street, Manchester, M1 4EJ
33 George Street, Manchester, M1 4HQ
Second Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Unit 9, Abbey House, Mosley Street, Manchester, M2 3LW
Mezzanine Floor, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Ground Floor Unit 6, Abbey House, 74 Mosley Street, Manchester, M2 3LW
Suite 7A, 80 Mosley Street, Manchester, M2 3FX
Suite 6B, 80 Mosley Street, Manchester, M2 3FX
Suite 7B, 80 Mosley Street, Manchester, M2 3FX
Basement And Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Ground Floor, 75 Mosley Street, Manchester, M2 3HR
Sainsbury's, Ground Floor, 58 Mosley Street, Manchester, M2 3HZ
Fifth Floor, 58 Mosley Street, Manchester, M2 3HZ
First Floor, 58 Mosley Street, Manchester, M2 3HZ
Suite 6A, 80 Mosley Street, Manchester, M2 3FX
Suite 5B, 80 Mosley Street, Manchester, M2 3FX
Suite 4, 80 Mosley Street, Manchester, M2 3FX
Suite 1B, 80 Mosley Street, Manchester, M2 3FX
Suite 1A, 80 Mosley Street, Manchester, M2 3FX
Second Floor, Amadeus House, 52 George Street, Manchester, M1 4HF

Third Floor, Amadeus House, 52 George Street, Manchester, M1 4HF
Fourth Floor, Amadeus House, 52 George Street, Manchester, M1 4HF
Apartment 104, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 105, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 110, The Arthouse, 43 George Street, Manchester, M1 4AB
Flat 7, 58 - 60 George Street, Manchester, M1 4HF
Flat 5, 58 - 60 George Street, Manchester, M1 4HF
Flat 6, 58 - 60 George Street, Manchester, M1 4HF
First Floor And Second Floor, 58 - 60 George Street, Manchester, M1 4HF
Apartment 109, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 308, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 408, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 304, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 405, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 209, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 301, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 204, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 207, The Arthouse, 43 George Street, Manchester, M1 4AB
Apartment 111, The Arthouse, 43 George Street, Manchester, M1 4AB
Flat 1, 58 - 60 George Street, Manchester, M1 4HF
Flat 3, 58 - 60 George Street, Manchester, M1 4HF
Flat 2, 58 - 60 George Street, Manchester, M1 4HF

Appendix 2 – Planning constraints

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Conservation Area - George Street Conservation Area 1985