

Planning

Growth & Development

Delegated officer report for planning application

Application no. 131700/FO/2021
Date registered valid: 22 October 2021
Proposal: Installation of a new aluminium and glazed shopfront.
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: Full Application Consent

Development type: Minor Other

Date of site visit:

Standard consultations:

Printed: 11 November 2021

Expired: 2 December 2021

Neighbour notifications

Printed: 11 November 2021

Expired: 2 December 2021

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 planning permission for the installation of a new aluminium and glazed shopfront.

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

The main policies that relate to the proposal section 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment) of the revised National Planning Policy Framework (2021), Policies SP1 (Spatial Principles), EN3 (Heritage), CC9 (Design and Heritage), EN1 (Design Principles and Strategic Character Areas), DM1 (Development

Management), of the Adopted Core Strategy for the City of Manchester and saved policies, and DC18.1 (Conservation Areas) of the Unitary Development Plan for the City of Manchester.

Issues

The impact of the works upon amenity - The proposed glazed shopfront is considered to be acceptable as it is felt that it would not adversely affect the appearance of the building, adjacent conservation area or visual amenity within the area. There are several other commercial properties surrounding the application site that have similar shopfronts so the proposal would be in keeping with other buildings in the area.

The new shopfront would be flush with the front elevation of the building and provides DDA compliant and level access.

On balance, all the works proposed are considered to be acceptable and it is felt that the works would not adversely affect the character and appearance of the building or visual amenity within the area.

For the above reasons, the proposal is considered to be acceptable and consistent with policy DM1 and SP1 of the Manchester Core Strategy.

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 in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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 91 of the Town and Country Planning Act 1990.

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) All proposed external doors, with the exception of fire doors, shall be inward opening as so not to impinge on the highway.

Reason - In the interest of pedestrian and highways safety, pursuant to policies SP1, T1, T2 and DM1 of the Core Strategy for the City of Manchester and the National Planning Policy Framework.

Informatives

1) 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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Greater Manchester Police

SPAR, 10 St Mary's Gate, Manchester, M1 1PX
ZARA, 1 New Cathedral Street, Manchester, M1 1AD
1 St Mary's Gate, Manchester, M1 1BZ
3 St Mary's Gate, Manchester, M1 1BZ
OLIVER BONAS, 12 - 14C St Mary's Gate, Manchester, M1 1PX
FLIGHT CENTRE, 2 - 8 St Mary's Gate, Manchester, M1 1PU

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
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