

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129747/LO/2021
Date registered valid: 17 June 2021
Proposal: LISTED BUILDING CONSENT for the installation of adverts
Address: 17 Piccadilly, Manchester, M1 1LS
Ward(s): Piccadilly Ward

Applicant: Five Guys JV Ltd C/o Agent
Agent (if any): Mr Sam Harper Firstplan Broadwall House, 21 Broadwall, London, SE1 9PL
Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk
Recommendation: Approve
Date of recommendation: 29 July 2021

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 29 June 2021

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 24 June 2021 Expired: 15 July 2021

Site notice

Posted: 29 June 2021 Expired: 20 July 2021

Press advert

Published: 29 June 2021 Expired: 20 July 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: Not applicable

Description of area

The application relates to a former Building Society premises within the ground and basement floor of 17 Piccadilly, which is a Grade II Listed building. It is a five-storey building, with an additional mansard roof. There is dated non-original granite cladding at ground floor level and other areas of the building are sandstone.

The existing advertisements comprise one internally illuminated fascia sign and one externally illuminated projecting sign to each elevation and a non-illuminated logo sign over the door.

The building is located on the corner of Oldham Street and Piccadilly with the entrance on the junction of the two roads. There are residential apartments within the upper floors of the building that are accessed from a separate entrance on Piccadilly.

The building is within the Smithfield Conservation Area and is adjacent to the Stevenson Square Conservation Area. Piccadilly Gardens is opposite and is home to three Grade II Listed statues, including the Queen Victoria memorial. Other nearby Listed Buildings include a Grade II Listed department store that is occupied by Debenhams and a Grade II Listed Building at 3 Piccadilly.

The site lies within the Piccadilly area of the City Centre and the surrounding area contains a variety of uses including retail, bars, cafes, offices, commercial, residential and hotel uses and Piccadilly Gardens and Piccadilly Gardens Transport Interchange.

Description of development

Listed Building Consent is sought for the display of the following signs:

- Two internally illuminated stainless steel individual letter signs powder coated white. One located on the Oldham Street fascia and one located on the Piccadilly fascia
- A formed aluminium fascia panel with 40mm depth, powder coated to Pantone 186c with individual letter signs powder coated white applied, to be sited above the main entrance
- Two projecting sign formed of Pantone 186c coloured aluminium panels with 30mm depth with white acrylic individual letter signs applied. One located on the Oldham Street fascia and one located on the Piccadilly fascia
- Vinyl manifestation reading 'Five Guys' on the glazing
- Internally located 'open' sign and 'milkshake sign'. There would also be vinyl signage on the entrance door with restaurant information. - The push and pull signs on the doors, which would be the same red colour and font as the above signs.

Consultations & Notification Responses

Publicity - The application was advertised in the local press as affecting a conservation area and as being an application for listed building consent, a site notice was displayed on site and letters were sent to surrounding occupiers. No replies have been received.

Issues

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC14.1 and 14.5 (Shopfronts and Related Signs) provide advice on acceptable shop front and signage works.

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character;

National Policy

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development" (NPPF Paragraph 7). In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 185 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 189 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 194 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 196 states that where a development proposal will lead 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, including securing its optimum viable use.

Section 12 (Requiring Good Design) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Under these criteria the effect of the proposal on the affected heritage assets has been considered.

The signage is very similar to the current Yorkshire Building Society (YBS) signage, but the following improvements would be made:

- The projecting signs would be much slimmer having a depth of 30mm
- The fascia sign above the door would have a slim 40mm deep back panel and stand out individual letters
- The two long brown signage support rails that run the full length of the fascia would be removed

Whilst the projecting signs should be located adjacent the entrance to the property, damage to the fascia would be minimised by keeping them in the current location where the YBS projecting signs were installed. The proposed locations are therefore acceptable.

The vinyl signage is small in nature and is easily removable in the future, without any damage to the property. The other internal signs are small and are located behind the glazing.

The proposed signage would be respectful of the historical significance of the building but would cause some less than substantial harm to the Grade II* Listed building that can be justified by the reuse of the premises as an active use following the departure of YBS.

Given the above, it is considered that subject to conditions, the benefits of the proposal would outweigh the level of harm caused to the affected heritage assets, and the works are consistent with paragraph 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

Given this, the application is considered to be fully in accordance with all above local and national policies.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the

application. In this instance, this has included advice about the information required to support the application.

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:

The site location plan received by the City Council as local planning authority on 17 March 2021

The drawings referenced:

FIV235 - A410 Rev D

FIV235 - A411 Rev E

FIV235 - A412 Rev -

FIV235 - A413 Rev -

received by the City Council as local planning authority on 16 June 2021

The 7 page signage document prepared by Ashleigh Signs referenced 160106 - Rev C received by the City Council as local planning authority on 13 July 2021

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies EN1, EN3, CC9, SP1 and DM1 of the Core Strategy and saved policies DC18.1, DC19.1 and DC26.

3) The windows at ground level, fronting onto Piccadilly and Oldham Street; shall be retained as a clear glazed window openings at all times and views into the premises shall not be screened or obscured in any way; other than as shown on the drawings hereby approved.

Reason - The clear glazed window(s) is an integral and important element in design of the ground level elevations and are important in maintaining a visually interesting street-scene consistent with the use of such areas by members of the public, and so as to be consistent with saved policy DC14 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Travelodge, 31 Piccadilly, Manchester, M1 1LU
29 Piccadilly, Manchester, M1 1LU
19 - 25 Piccadilly, Manchester, M1 1LU
Nando's, 27 Piccadilly, Manchester, M1 1LU
Mezzanine Floor, 11 Piccadilly, Manchester, M1 2HY
Sub Basement And Basement, 19 - 31 Piccadilly, Manchester, M1 1LS
11 Piccadilly, Manchester, M1 2HY
19 - 31 Piccadilly, Manchester, M1 1LS
Serviced Apartment 1, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 4, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 8, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 12, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 20, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 18, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 16, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 15, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 14, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 11, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 9, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 7, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 5, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Serviced Apartment 3, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 2, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 17, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 19, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 21, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 10, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
Flat 6, Regent Court, 6 Oldham Street, Manchester, M1 1JQ
7 - 11 Oldham Street, Manchester, M1 1LG
Sachas Hotel, Tib Street, Manchester, M4 1SH
Flat 18, 15 Piccadilly, Manchester, M1 1LT
Flat 17, 15 Piccadilly, Manchester, M1 1LT
Flat 16, 15 Piccadilly, Manchester, M1 1LT
Flat 15, 15 Piccadilly, Manchester, M1 1LT
Flat 14, 15 Piccadilly, Manchester, M1 1LT
Flat 13, 15 Piccadilly, Manchester, M1 1LT
Flat 12, 15 Piccadilly, Manchester, M1 1LT
Flat 11, 15 Piccadilly, Manchester, M1 1LT
Flat 10, 15 Piccadilly, Manchester, M1 1LT
Flat 9, 15 Piccadilly, Manchester, M1 1LT
Flat 8, 15 Piccadilly, Manchester, M1 1LT
Flat 7, 15 Piccadilly, Manchester, M1 1LT
Flat 6, 15 Piccadilly, Manchester, M1 1LT
Flat 5, 15 Piccadilly, Manchester, M1 1LT
Flat 4, 15 Piccadilly, Manchester, M1 1LT
Flat 3, 15 Piccadilly, Manchester, M1 1LT
Flat 2, 15 Piccadilly, Manchester, M1 1LT
Flat 1, 15 Piccadilly, Manchester, M1 1LT
11 - 13 Piccadilly, Manchester, M1 1LY
Unit 1, 11 - 13 Piccadilly, Manchester, M1 1LY

6 Oldham Street, Manchester, M1 1JQ
4 Oldham Street, Manchester, M1 1JQ
The Emporium, 8 - 10 Oldham Street, Manchester, M1 1JQ
Unit 3, 11 - 13 Piccadilly, Manchester, M1 1LY
Unit 2, 11 - 13 Piccadilly, Manchester, M1 1LY

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 - Smithfield Conservation Area 1987
Area Team Boundary - Name: CITY2