

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 132332/AO/2021  
**Date registered valid:** 5 January 2022  
**Proposal:** Internally illuminated fascia sign and projecting sign  
**Address:** 82-84 Market Street, Manchester, M1 1PD  
**Ward(s):** Deansgate Ward

**Applicant:** Bee World UK Ltd t/a Jollibee C/o Agent  
**Agent (if any):** Haris Kasuji RR Planning Limited 82A Otley Road, Leeds, LS6 4BA  
**Case officer:** Gerry Reilly  
Tel: 0161 234 4163  
Email: gerry.reilly@manchester.gov.uk

**Recommendation:** Approve  
**Date of recommendation:** 22 April 2022

## **Application details**

**Type of application:** Advertisement Consent

**Development type:** Advertisements

**Date of site visit:**

### **Standard consultations:**

Printed: 17 January 2022 Expired: 7 February 2022

### **Neighbour notifications**

Printed: 17 January 2022 Expired: 7 February 2022

### **Site notice**

Posted: 17 January 2022 Expired: 7 February 2022

### **Press advert**

Published: 25 January 2022 Expired: 15 February 2022

**Departure from Development Plan:** No

**Environmental Statement:** Not required

## **Description of site/building**

**Listed building:** Not applicable

**Conservation area:** Upper King Street (Extension) Conservation Area 1985

### **Tree Preservation Order:**

Description of area

82 - 84 Market Street is a 4 storey building located in a prominent frontage on Market Street, opposite the Arndale Centre.

Market Street is one of the busiest pedestrianised areas in the City Centre and is predominantly retail in character. Prior approval for change of use of 2nd floor of building from office (Use Class B1) to residential (Use Class C3) was granted at the neighbouring property to the east (86- 88 Market Street, Manchester, M1 1PD) on 12.05.2016 (111631/P3OPA/2016/C1). The wider area contains offices and food and drink uses.

The application premises is occupied at ground floor level by a sweet shop.

The site lies within Upper King Street Conservation Area.

Description of development

Advertisement consent is sought for "Internally illuminated fascia sign and projecting sign". The fascia sign will be mounted 3.4 metres above ground level and will consist of a flat panel (Height: 1.2 x Width: 8.3 x Depth: 0.03 metres). Individual letters and a logo will project out 100mm from the panel.

In addition there will be a 30mm DEEP DOUBLE-SIDED Circular PROJECTING SIGN with a diameter of 740mm mounted 3.49 above ground level and with an overall projection of 840mm from the fascia.

### **Description of area**

### **Description of development**

### **Consultations & Notification Responses**

Publicity - The application has been advertised in the Manchester Evening News as affecting a Conservation Area and a Listed Building. A site notice was displayed and the occupiers of nearby properties have been notified.

No representations have been received as a result of this publicity.

Highway Services - have noted that PROJECTING SIGN 1 extends for a maximum of 0.84m over the adopted highway, as such, a projection over license will be required.

Environmental Health - have recommended a condition stating that

Lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties.

The information submitted confirms the illuminated signage will not exceed 250cd/m<sup>2</sup> which they can accept

### **Issues**

The main issues for consideration relate to the acceptability of the proposed advertisement in terms of the impact on the views from the Upper King Street Conservation Area and the setting of the nearby listed 109 - 127 Market Street, Manchester, M1 1NN, (former Debenhams Building) building and the impact on highway safety. 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 fascia consists of a flat panel with individual letters projecting out from the panel similar to other signs on Market Street (H&M at 68-70, Gong Cha at 78, Mango at 90-100).

The applicant is proposing a 30mm DEEP DOUBLE-SIDED Circular PROJECTING SIGN which is considered to be acceptable.

Highway Safety - Highways have observed that a projection over license will be required for the projecting/hanging sign and that the applicant should be advised that any requirements for 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. Infomatives will be attached to this permission to let the applicant know about the above

Given the above, the proposal is considered to be acceptable in terms of visual amenity and highway safety in accordance with Sections 9 (Promoting sustainable transport) and 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework and UDP policies DC14..5 (Shop Fronts and Related Signs ), 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 polices 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 proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In the case of the application under consideration this has included communications relating to access for people who are mobility impaired.

### **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:

The location plan entitled 82-84 Market Street Manchester received 26 Nov 2021  
Planning Proposed Signage Elevations drawing number 20028-P212 received via the email of  
14 April 2022 from Haris Kasuji

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) Lighting from illuminated signage shall be designed and installed so as to control glare and  
overspill onto nearby properties.

Reason - To safeguard the amenities of the occupiers of nearby properties

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health

Unit 3 Halle Place, Arndale Centre, Market Street, Manchester, M4 2HU  
Stall Adjacent 82 To 84, Market Street, Manchester, M1 1PD  
Sugar Hut, Kiosk Adjacent 74 To 76, Market Street, Manchester, M1 1PD  
Unit 825 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 2EA  
Unit 824 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 2EA  
Units 31 And 32 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ  
93 Arndale Centre, Market Street, Manchester, M4 2HU  
Aldi, 55A Market Street, Manchester, M1 1WR  
What A Potato, Kiosk, Market Street, Manchester, M1 1PD  
84 Arndale Centre, Market Street, Manchester, M4 2HU  
Unit 826 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 2EA  
Unit 32A, Lower Mall Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ  
Second And Third Floor, 3 Spring Gardens, Manchester, M2 1FB  
Marsden Way South, Arndale Centre, Market Street, Manchester, M1 1WR  
Lower Mall, Arndale Centre, Market Street, Manchester, M1 1WR  
Upper Mall, Arndale Centre, Market Street, Manchester, M4 2EA  
1A High Street, Manchester, M4 1QB  
Ground Floor, 78 Market Street, Manchester, M1 1PD  
48A Arndale Centre, Market Street, Manchester, M4 2HU  
48 Arndale Centre, Market Street, Manchester, M4 2HU  
27 Arndale Centre, Market Street, Manchester, M4 2HU  
54 Arndale Centre, Market Street, Manchester, M4 2HU  
54A Arndale Centre, Market Street, Manchester, M4 2HU  
Units 20 And 21 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ  
First Floor And Second Floor, 3 Spring Gardens, Manchester, M2 1FB  
51 - 55 Market Street, Manchester, M1 1WR  
3 Spring Gardens, Manchester, M2 1FB  
57 Market Street, Manchester, M1 1WR  
78 Market Street, Manchester, M1 1PD  
107 Market Street, Manchester, M1 1NN  
49 Market Street, Manchester, M1 1WR  
35 Market Street, Manchester, M1 1WR  
33 Market Street, Manchester, M1 1WR  
HOLLAND & BARRETT, 105 Market Street, Manchester, M1 1NN  
47 Market Street, Manchester, M1 1WR

## **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 - Upper King Street (Extension) Conservation Area 1985  
Susceptible to Surf Water Flood (Less) -  
Area Team Boundary - Name: CITY1