

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 127605/AO/2020

**Date registered valid:** 18 August 2020

**Proposal:** Installation of 1no. high level halo illuminated sign to John Dalton Street elevation, and lower level non-illuminated and illuminated signage including projecting signage above John Dalton Street elevation ground floor entrance.

**Address:** 11 St James Square, Manchester, M2 6DN

**Ward(s):** Deansgate Ward

**Applicant:** St James Estates Limited C/o Agent

**Agent (if any):** Andrew Chapman Brewster Bye Architects 5 North Hill Road, Headingley, Leeds, LS6 2EN

**Case officer:** Christopher Smith  
Tel: 0161 234 4529  
Email: christopher.smith@manchester.gov.uk

**Recommendation:** Approve

**Date of recommendation:** 6 November 2020

## **Application details**

**Type of application:** Advertisement Consent

**Development type:** Advertisements

**Date of site visit:** 26 August 2020

### **Standard consultations:**

Printed: 25 August 2020    Expired: 15 September 2020

### **Neighbour notifications**

Printed: 25 August 2020    Expired: 15 September 2020

### **Site notice**

Posted: 26 August 2020    Expired: 16 September 2020

### **Press advert**

Published: 1 September 2020    Expired: 22 September 2020

**Departure from Development Plan:** No

**Environmental Statement:** Not required

## **Description of site/building**

**Listed building:** Not applicable

**Conservation area:** St Anns Square Conservation Area 1970

### **Tree Preservation Order:**

The proposal site comprises a five-storey building which was originally constructed for office space with commercial ground floor frontages onto James Street and John Dalton Street.

The building is relatively contemporary in appearance, constructed with red brick cladding and with floor to ceiling glazing at ground floor levels, and a distinctive window banding around the buildings upper floor façade.

The upper floors are accessed from the corner of John Dalton Street and St James's Square and the building is accessible with an internal lift servicing all floors, apart from the external roof space.

The surrounding area comprises a mix of uses including drinking establishments (Use Class A4), retail units (Use Class A1), restaurants and cafes (Use Class A3), offices (Use Class B1), hotels (Use Class C1) and residential apartments (Use Class C3).

The surrounding area has a dense urban character, given the city centre location. John Dalton Street generally contains some of the largest volume buildings in the immediate area, with building footprints and heights generally significantly larger than other nearby parts of the city centre. Nearby buildings are generally between four and eight storeys in height. However, Trinity at 16 to 26 John Dalton street extends to nine and 10 storeys.

The buildings that are immediately adjacent to the site are generally in office or other non-residential uses on the upper floors. This includes Dalton Place to the west, 34 - 46 John Dalton Street to the south, Anglia House and 70 - 76 Cross Street to the east. The building is served by a courtyard to the north which separates the building from 7 St James's Square.

The building is not listed but it is located adjacent to the Grade II Listed Anglia House and the Grade II Listed No. 1, Albert Square. It is also located within the St Ann's Square Conservation Area.

### **Relevant Planning History**

Recently, prior approval was granted for the conversion of the upper floors of the property to 60no. studio apartments (ref: 122770) on 29 April 2019. There were also three other prior approval schemes at the site (ref: 122777, 122725 and 122807) that were submitted by a different applicant and approved on 29 April 2019.

An application for elevational alterations, to include replacement windows on second to fourth floors, alterations to existing curtain walling system at first floor to allow for openable windows, removal of glass roof and replacement with metal cladding, and installation of new and altered windows (planning reference 123025/FO 2019) was approved on 16 July 2019.

Most recently full planning permission was granted for a single storey roof extension to provide 6no. apartments ref. 125727/FO/2019.

### **Description of Proposal**

Installation of 1no. high level halo illuminated sign to John Dalton Street elevation, and lower level non-illuminated and illuminated signage including projecting signage above John Dalton Street elevation ground floor entrance.

### **Consultations & Notification Responses**

Publicity - A total of 42 neighbour notifications were sent to adjoined and adjacent properties and a site notice and local press advert were produced. At the time of writing this report no representations have been received due to this publicity.

Environmental Health - No objection subject to illumination controls.

Highway Services - No objection subject to informative note.

Urban Design & Conservation Team - No comments received.

### **Issues**

### **Policy**

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 (Requiring Good Design Achieving well-designed places) and Section 16 (Conserving and Enhancing the Historic Environment) of the revised National Planning Policy Framework (Feb 2019), Policies SP1 (Spatial Principles), EN3 (Heritage), DM1 (Development Management) and CC9 (Design and Heritage) of the Adopted Core Strategy for the City of Manchester (2012) and saved policies DC14.1 and 14.5 (Shopfronts and Related Signs), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester (1995).

## **Visual and residential Amenity and Heritage Impacts**

The proposal would be fixed directly into the facing brick and all illumination wiring would be hidden from the façade. The design of the signage is considered to be appropriate and of a high quality both in terms of materials and finish.

On balance, it is considered that the signage proposed would not be significantly out of character with other signage in the wider street scene and thereby the proposals would seek to preserve the heritage assets, thereby not causing harm.

The proposed signage would be illuminated and controlled to not exceed 600cdm<sup>2</sup> during daytime and 300cdm<sup>2</sup> during non-daylight hours. Such controls are considered as appropriate by Environmental Health as to not cause undue light disturbance to any nearby residential dwellings.

## **Public Safety**

Highway services had no objections to the proposals and therefore the signage would not be considered likely to cause any public safety concerns. Conditions relating to the control of illumination levels are recommended to ensure the safety of the public and vehicles passing the site.

## **Conclusion**

Given the above, it is considered that the proposals are acceptable in accordance with policies EN3, CC9, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester (2012) and saved policies DC14, DC18 and DC19 Development Plan for the City of Manchester (1995) and the National Planning Policy Framework (Feb 2019).

## **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 / agent in a positive and proactive manner to guide the application through all stages of the planning process and resolve any issues that arose in dealing with the planning application. In this instance amendments were made to the proposals and appropriate conditions were attached with the agreement of the applicant / agent.

**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 following drawings and documents:

Site Location Plans Drawings No. 432/38(90)001 A, stamped as received by the City Council as local planning authority on 18 August 2020.

Drawing No. 432/38(90)002, stamped as received by the City Council as local planning authority on 18 August 2020.

Drawing No. 432/38(90)003 C, stamped as received by the City Council as local planning authority on 06 November 2020.

Manufactures details, drawings no. 155798 (REV G) (pages 1-3), stamped as received by the City Council as local planning authority on 06 November 2020.

Cover letter, stamped as received by the City Council as local planning authority on 18 August 2020.

Agent correspondence from Andrew Chapman regarding signage installation method (dated 06 November 2020), stamped as received by the City Council as local planning authority on 06 November 2020.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant policies DM1, SP1, CC9 and EN3 of the Manchester Core Strategy and saved policies DC14, DC15, DC18 and DC19 of the Unitary Development Plan for the City of Manchester.

3) Notwithstanding the approved plans and drawings as specified in condition 2, the proposed advertisements shall be designed and installed to control glare and overspill onto nearby residential properties via an auto dim function which shall ensure that the approved advertisements:

- (a) have a luminance level no greater than 600cd/m<sup>2</sup> during the hours of daylight;
- (b) have a luminance level no greater than 300cd/m<sup>2</sup> during the hours darkness;

Reason - To ensure that the advertisements cause no harm to residential amenity and are designed and installed to a high quality with regard to visual amenity, pursuant to policies SP1 and DM1 of the Adopted Core Strategy for the City of Manchester and saved policies DC14 and DC15 of the Unitary Development Plan for the City of Manchester

### **Informatives**

1) The applicant will need to engage and obtain prior approval of the Highways Applications and Network Resilience team (Tel. 0161 234 5004) for any access or work undertaken on or from the adjacent public highway. This will include but shall not be limited to any requirements for traffic management, accommodating deliveries and the storage of plant and materials, and any associated permit needs. No work must be undertaken without prior consent.

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

Highway Services  
Environmental Health

Flat 2, 42 John Dalton Street, Manchester, M2 6LE  
Third Floor, 7 St James's Square, Manchester, M2 6DN  
Third Floor, 34 John Dalton Street, Manchester, M2 6LE  
Flat 4, 42 John Dalton Street, Manchester, M2 6LE  
Serviced Apartment 1, 42 John Dalton Street, Manchester, M2 6LE  
Little Mr Male Grooming, The Kiosk, 11 St James's Square, Manchester, M2 6DN  
7 St James's Square, Manchester, M2 6XX  
Optimax Laser Eye Clinic, Third Floor, 1 Albert Square, Manchester, M2 6LW  
28 - 30 John Dalton Street, Manchester, M2 6HQ  
Fourth Floor, 1 St James's Square, Manchester, M2 6DN  
Fifth Floor, 1 St James's Square, Manchester, M2 6DN  
Loewe Gallery, Unit A, 11 St James's Square, Manchester, M2 6DN  
My Thai, Unit C, 11 St James's Square, Manchester, M2 6DN  
Skin Clinics, Fourth Floor, 1 Albert Square, Manchester, M2 6LW  
36 John Dalton Street, Manchester, M2 6LE  
Ground Floor, 1 St James's Square, Manchester, M2 6DN  
Fourth Floor, 7 St James's Square, Manchester, M2 6DN  
The Dalton Street Salon, Unit B, 11 St James's Square, Manchester, M2 6DN  
Third Floor, 1 St James's Square, Manchester, M2 6DN  
Second Floor, 7 St James's Square, Manchester, M2 6DN  
Basement, 7 St James's Square, Manchester, M2 6DN  
Ground Floor, 7 St James's Square, Manchester, M2 6DN  
First Floor, 7 St James's Square, Manchester, M2 6DN  
29 John Dalton Street, Manchester, M2 6FW  
Second Floor, 1 Albert Square, Manchester, M2 6LW  
82 Cross Street, Manchester, M2 4LA  
GLAISYERS SOLICITORS LLP, First Floor, 1 St James's Square, Manchester, M2 6DN  
Second Floor, 34 John Dalton Street, Manchester, M2 6LE  
Second Floor, 1 St James's Square, Manchester, M2 6DN  
40 John Dalton Street, Manchester, M2 6LE  
Flat C, 44 - 46 John Dalton Street, Manchester, M2 6LE  
Malmin Dental Manchester, Basement And Ground Floor, 44 - 46 John Dalton Street, Manchester, M2 6LE  
86 Cross Street, Manchester, M2 4LA  
First Floor, 34 John Dalton Street, Manchester, M2 6LE  
Basement, 11 St James's Square, Manchester, M2 6DN  
Flat A, 44 - 46 John Dalton Street, Manchester, M2 6LE  
Flat 3, 42 John Dalton Street, Manchester, M2 6LE  
Basement To First Floor, 1 Albert Square, Manchester, M2 3LW  
Flat B, 44 - 46 John Dalton Street, Manchester, M2 6LE  
38 John Dalton Street, Manchester, M2 6LE  
1 Albert Square, Manchester, M2 3FU  
34 John Dalton Street, Manchester, M2 6LE

## **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 - St Anns Square Conservation Area 1970  
Area Team Boundary - Name: CITY1