MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141243/AO/2024
Date registered valid:	4 November 2024
Proposal:	Advertisement consent for the installation of 1x Internally Illuminated fascia sign, 1x externally illuminated projecting sign, & 1x non-illuminated logo.
Address:	5 Cross Street, Manchester, M2 1HX
Ward(s):	Piccadilly Ward
Applicant:	Mr Sam Moloney Joe & The Juice
Agent (if any):	Mr Stuart Evans Design Time Ltd
Case officer:	Max Gibson Tel: 0161 219 6359 Email: maximillian.gibson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**27/12/2024**

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 11 November 2024

Standard consultations:
Printed: 7 November 2024 Expired: 28 November 2024

Neighbour notifications
Printed: 7 November 2024 Expired: 28 November 2024

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

The site relates to a ground floor commercial unit in the Arndale shopping centre located at 5 Cross Street. The unit previously houses a branch of the bank Santander but has stood empty for a number of years. A separate application has been submitted to alter the shopfront, which at present comprises frameless glazing with a entrance at its northern end.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The proposal site is located in Manchester City Centre and therefore the surrounding area has a wide variety of uses including, residential, offices, restaurants, cafes, bars, retail and commercial outlets in the immediate area with associated advertisements on their respective buildings. The site is not covered by a conservation area, but the St Anns Square Conservation area is the other side of Cross Street.

Description of development

The development relates to the installation of 1no. internally Illuminated fascia sign comprising individual letters mounted to a fascia panel, 1no. externally illuminated projecting sign, & 1no. non-illuminated logo sign to the louvred vent above the shop front.

Consultations & Notification Responses

Publications - letters were sent to surrounding occupiers notifying them of the development. One representation was received as a result of this publicity, summarised below:

> -Noted lack of level access to new shopfront, believed there should be scope to modify shopfront to provide this instead of relying on staff with ramps

Highways Services - no objections, projecting over licence required for projecting signs.

Environmental Health - no objections, illuminance levels of all illuminated signage should be controlled to 300cd/m2.

Issues

Town and Country Planning (Control of Advertisements) Regulations 2007

The Local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—
(a)the provisions of the development plan, so far as they are material; and
(b)any other relevant factors.
(2) Without prejudice to the generality of paragraph (1)(b)—
(a)factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
(b)factors relevant to public safety include—
(i)the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
(ii)whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
(iii)whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
(3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.
(4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the adjacent Conservation Area and Public Safety. The main policies that relate to the assessment of the proposal are the Town and Country Planning (Control of Advertisements) Regulations 2007 and Core Strategy policies EN1 (Design Principles and Strategic Character Areas, SP1 (Spatial Principles) and DM1 (Development Management) of the Manchester Core Strategy (2012), saved policies DC14 (Shopfronts and related signs) and DC15 (Advertisements, Hoardings and Posters) of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework, in particular Section 12 (Achieving well-designed places).

Issues

The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. An assessment of the proposals under these criteria is outlined below.

Visual amenity

The application proposes the installation of three elements of signage to the shopfront of the unit at 5 Cross Street.

The first is a fascia sign, comprising letters mounted individually to a new fascia board proposed under application reference 141242/FO/2024. The letter would be fabricated from RAL9005 powder coated aluminium, with a white plastic backing. The lettering would be lit via halo-illumination. The use of individual letters for fascia signs is supported pursuant to saved policy 14.5(e) of the Unitary Development Plan for the City of Manchester which states that 'signs consisting of individually mounted letters will be preferred to box fascia signs'.

There would a projecting sign installed in line with the fascia, as per saved policy Dc14.5(d). It would be non-illuminated and hence not overly prominent or obtrusive within the wider street scene. The depth of the sign would be 30mm, the maximum supported in the City Centre. The design is of a more traditional hanging, bracketed type which is considered acceptable as the site sits within the setting of the St Anns Square Conservation Area and the Grade II listed Royal Exchange.

At high level on the large louvre above the shopfront, a non-illuminated logo sign would be installed. Whilst signs are not usually permitted at locations other than fascia level, pursuant to saved policy DC14.5(a), there is a precedent for this style of sign on the HOP unit on the corner of the same parade. This would help improve the appearance of an otherwise unsightly area of the wider elevation.

Public safety

Saved policy DC14.5(h) states that's that. any sign which is detrimental to the safety of pedestrians or motorists will be refused. It is considered that the proposed development is unlikely to be harmful to public safety. The signage complies with headroom and carriageway clearance requirements. No concerns were raised in regard to public safety by Highways Services and Environmental Health when consulted. The illuminance is under the 600cd/m2 recommended by Highways Services to avoid driver distraction and is set at the 300cd/m2 recommended by Environmental Health to avoid disamenity to surrounding occupiers. Some informatives regarding the requirement for a projecting over licence and working closely to Metrolink lines were requested by Highways Services and attached to this approval. Given the above the development is considered is considered acceptable with regard to public safety.

Public comments

One comment was received noting that the new shopfront (applied for under application reference 141242/FO/2024) did not provide level access into the unit. Stated that some form of modification should be made to lower the step at the front entrance. This matter will be covered more fully in the officer's report for application reference 141242/FO/2024. Documentation provided by the applicant, including a structural engineer's report, stating that the step is the result of a structural beam along the front of the shopfront which it would not be possible to modify.

Other Legislative Requirements
Equality Act 2010
Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality

Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

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

Condition(s) to be attached to decision for approval

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:

-Drawing - Proposed REV E FACADE SECT AA + BB
-Drawing - Proposed REV F SHOP FRONT PLANS AND ELEVATIONS
Both received by the City Council, as Local Planning Authority, on 17/12/2024

-Supporting Information CARONA LOGO
-Supporting Information HANG SIGN WITH LIGHT

Both received by the City Council, as Local Planning Authority, on 15/10/2024

-Supporting Information REV A FLAG SIGN received by the City Council, as Local Planning Authority, on 14/11/2024

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, saved policy DC19.1 and Sections 12 of the National Planning Policy Framework.

3) Lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties. The signage will need to be selected and installed so to not exceed 300cd/m2.

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policies DM1 and SP1 of the Manchester Core Strategy (2012).

Informatives

The proposed projecting sign will extend over the adopted highway by 0.7m, this will require a projection over license. This is obtainable via Contact Manchester on 0161 234 5004 and is to be funded at the applicant's expense.

The applicant is required to discuss and agree any requirements for licensing, hoarding / scaffolding, and skips with MCC's Highways Licensing Team via Email to: highwaylicences@manchester.gov.uk

The applicant is required to discuss and agree any requirements for temporary traffic and pedestrian management with MCC's Event and Traffic Management Team via Email to highwaynetworkmanagement@manchester.gov.uk

The applicant is to be advised of the details of working safely near Metrolink which can be found on the Metrolink Website at; https://www.tfgm.com/public-transport/tram/workingsafely. This document provides contact details for the Metrolink Operator in order that the proposed method of erection can be discussed and relevant permits obtained.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Advertising Right JC Decaux Outside 1, Cross Street, Manchester, M2 1HX
8 - 10 Cross Street, Manchester, M2 7AE
3 Cross Street, Manchester, M2 1WE
28 Market Street, Manchester, M1 1PW
30 Market Street, Manchester, M1 1PW
26 Market Street, Manchester, M1 1PW

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
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL