

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141227/AO/2024	
Date registered valid:	14 October 2024	
Proposal:	Retention of illuminated signage comprising 1no. fascia sign and 1no. projecting sign.	
Address:	59 Cross Street, Manchester, M2 4JW	
Ward(s):	Deansgate	Ward
Applicant:	Mr Rob Lake Zambrero UK	
Agent (if any):	Mr Joshua Phillips Ampersand Associates Ltd.	
Case officer:	Max Tel: 0161 219 Email: maximillian.gibson@manchester.gov.uk	Gibson 6359
Recommendation:	Approve	
Date of recommendation:	17/12/2024	

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 23 October 2024 Expired: 13 November 2024

Neighbour notifications

Printed: 23 October 2024 Expired: 13 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 59 Cross Street, a ground floor unit of the Grade II listed Victoria Buildings. The unit has stood empty for some time, but previously house a branch of the Royal British Legion. There is an existing fascia area for signage above the main entrance. Evidence available online suggests that a signage bracket previously hung on the corner with Bow Lane. The Grade II listed Victoria Buildings on Albert Square. It was constructed in 1877 to the designs by Pennington and Bridgen in neo-Gothic style. Its exterior is decorated in stylized carvings throughout its curved polychromatic frontage, which makes a strong statement in its context. It is in a prominent location on the corner of the building where Princess Street and Cross Street meet

Listed building: Grade II

Conservation area: Albert Square Conservation Area 1972

Tree Preservation Order:

Description of area

The area relates to Albert Square, the focal point of the Albert Square conservation area, and a major Manchester landmark. There are many listed and non-listed heritage assets in the vicinity including the Grade I listed Manchester Town Hall and Albert Memorial.

Description of development

The development relates to the retention of 1no. projecting sign and 1no. fascia sign to the primary elevation of the Cross Street unit of the Victoria Buildings. The fascia sign comprises individual, halo-illuminated lettering mounted to an existing fascia board. The projecting sign is non-illuminated and of a traditional hanging bracketed type.

Consultations & Notification Responses

Publicity - Letters were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Environmental Health - illuminance condition requested, limiting illuminance to 300cd/m².

Manchester City Council Highways Services - no objections. Would not impinge on the adopted highway, illuminance in line with requirements. Projecting over licence required, informative requested and attached to this decision.

Transport for Greater Manchester – no objections, informative on working safely by Metrolink requested.

Issues

Relevant policy and legislation

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 policies that relate to this application are policies DM1 (Development Management), SP1 (Spatial Principles) and EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage) and CC9 (Design and Heritage) of the Manchester Core Strategy (2012), saved policies DC15 (Advertisements, Hoardings and Posters), DC18 (Conservation Area) and DC19 (Listed Buildings) of the Unitary Development Plan for Manchester (1995) and the NPPF.

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 signage scheme for the unit comprises 1no. individual letter, halo-illuminated fascia sign and 1no. non-illuminated hanging sign. The use of individual lettering signage is considered acceptable for use on a listed building and within a conservation area pursuant to policy DC14.5(e) of the Unitary Development Plan for the City of Manchester (1995). The illumination is relatively modest, comprising a backlit halo-illumination that ensures the signage is not overly strident.

The projecting sign is of a hanging bracketed type that is traditional in form and thus considered appropriate for use on a listed building. The bracket reuses fixing point where a bracket was historically present. The depth of the sign itself is set at 30mm, the maximum permitted in the City Centre, pursuant to section 6.3 of the Shopfront and Signage Design Guide (2024). This affords the sign a slimline and lightweight appearance that does not detract from the appearance of the listed building.

Given the above, it is considered that there are no concerns regarding visual amenity that would warrant a refusal.

Public safety

The proposed development is not expected to give rise to any risk to public safety. The illuminance levels are set at 300cd/m², in line with the maximum permitted in the city centre and hence the signage should not give rise to driver distraction. The signage complies with minimum headroom requirements. The application was assessed by Environmental Health and Highways and no objections were raised. An appropriate condition, related to light overspill, together with an informative regarding fit out/ construction arrangements and scaffolding licences, which were recommended by consultees, are attached to this decision.

Conclusion

The application has been assessed in terms of visual amenity and public safety and it is considered that there are no issues that would warrant a refusal of the application. The development is considered acceptable pursuant to policies DM1, EN1 and SP1 of the Manchester Core Strategy (2012), saved policies DC14 and DC15 of the Unitary Development Plan for Manchester (1995) and the guidance contained within the Shopfront and Signage Design Guide (2024). The application is recommended for approval.

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 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

Condition(s) to be attached to decision for approval

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:

-Drawing - Proposed D200 SHOPFRONT ELEVATIONS received by the City Council, as Local Planning Authority, on 25 Oct 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.

3) Illuminated signage shall be designed and installed so as to control glare and overspill onto nearby residential properties. The illuminance level shall be controlled to 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

1) 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.

2) The applicant should be advised that they will need discussion and agreement with the council's Highway Network Management teams for any requirements for licensing, hoarding / scaffolding, skips via email highwaylicences@manchester.gov.uk and for any associated temporary pedestrian/traffic management arrangements, including Section 50, via email highwaynetworkmanagement@manchester.gov.uk

3) The proposed projecting sign will extend over the adopted highway and as such will require a projection over license. This is obtainable via Contact Manchester 0161 234 5004 and is to be funded at the applicants expense.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Transport For Greater Manchester
Metrolink

82 Cross Street, Manchester, M2 4LA
First And Second Floor, 59 Cross Street, Manchester, M2 4JW
Ground Floor, 59 Cross Street, Manchester, M2 4JW
55 Cross Street, Manchester, M2 4JN
Fourth Floor, 1 Princess Street, Manchester, M2 4DD
Second Floor Offices, 1 Princess Street, Manchester, M2 4DF
Third Floor Office, 1 Princess Street, Manchester, M2 4DF
First Floor, 1 Princess Street, Manchester, M2 4DF
1 Princess Street, Manchester, M2 4DF
Second Floor, Bow Chambers, 8 Tib Lane, Manchester, M2 4JB
Johnson THE CLEANERS, 61 Cross Street, Manchester, M2 4JW
Ground Floor And First Floor, 3 - 5 Princess Street, Manchester, M2 4DN
Ground Floor, 7 Princess Street, Manchester, M2 4DF
59A Cross Street, Manchester, M2 4JW
Basement, 3 - 5 Princess Street, Manchester, M2 4DF
57 Cross Street, Manchester, M2 4JW
7 Princess Street, Manchester, M2 4DN
3 - 5 Princess Street, Manchester, M2 4DN
86 Cross Street, Manchester, M2 4LA
First Floor, Bow Chambers, 8 Tib Lane, Manchester, M2 4JB
Ground Floor, 57 Cross Street, Manchester, M2 4JW
17 Bow Lane, Manchester, M2 4FW
Flat 1, 84 Cross Street, Manchester, M2 4LA
Flat 8, 84 Cross Street, Manchester, M2 4LA
Flat 7, 84 Cross Street, Manchester, M2 4LA
Flat 6, 84 Cross Street, Manchester, M2 4LA
Flat 5, 84 Cross Street, Manchester, M2 4LA
Flat 4, 84 Cross Street, Manchester, M2 4LA
Flat 2, 84 Cross Street, Manchester, M2 4LA
Flat 3, 84 Cross Street, Manchester, M2 4LA
53 Cross Street, Manchester, M2 4JN
Fourth Floor, Bow Chambers, 8 Tib Lane, Manchester, M2 4JB
Fourth Floor Suite 1, Bow Chambers, 8 Tib Lane, Manchester, M2 4JB
Third Floor, Bow Chambers, 8 Tib Lane, Manchester, M2 4JB

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
Conservation Area - Albert Square Conservation Area 1972
Area Team Boundary - Name: CENTRAL