

Planning

Growth & Development

Delegated officer report for planning application

Application no. 140986/AO/2024
Date registered valid: 10 September 2024
Proposal: Retention of hand painted illuminated fascia sign.
Address: Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Ward(s): Deansgate Ward

Applicant: CST Limited Partnership
Agent (if any): Mr Don Murphy Paul Butler Associates
Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 23/10/2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 24 September 2024 Expired: 15 October 2024

Neighbour notifications

Printed: 24 September 2024 Expired: 15 October 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 application relates to the ground and first floor of the Grade II listed Freetrade Exchange, formerly known as Harvester House. The application property is a former merchant's warehouse, with a drinking establishment use approved at ground floor (Sui Generis), a restaurant use situated within its basement (Class E(b)) and its upper floors lying in office uses or being vacant. The application property is bound by Peter Street, Southmill Street and Bootle Street. The property itself dates from the mid-19th century and is completed in sandstone. Its front elevation features a contemporary powder coated modern metal entrance on the property's south-western corner, with a traditional style timber door on its south-eastern corner. Where the property's western facing side elevation extends beyond the front elevation of no35 Peter Street it features a rendered mount at ground floor. Internally, the property has undergone restoration works and modern alterations. The property features internal vinyl signage across its front elevation and western facing side elevation. An internal totem sign also features on the property's western entrance off of Peter Street.

Listed building: Grade II

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies within the heart of the City Centre, with St Peter's Square lying under 175m away from the application site to the east. Peter Street is characterised by a high number of historic listed buildings in various commercial uses, this includes the Grade II listed Lancashire House, Royale Club, and Albert Memorial, as well as the Grade II* listed Free Trade Hall that lies opposite the application site. The application site lies within the Deansgate Conservation Area

and lies adjacent to the St Peters Conservation Area. More modern development lies to the south-west of the application site in the form of Petersfield House at no35 Peter Street, Great Northern Square and no36 Peter Street. Neighbouring signage is limited to individual letter signs, with some outlying units featuring projecting signage.

Description of development

The application seeks advertisement consent for the retention of a fascia level hand painted sign.

The sign has a width of 1055mm and a height of 195mm, is completed in cream paint and is illuminated by a downward facing concealed LED strip to a luminance level of 250cd/m².

Planning History

A high number of applications are on record for application site, the most relevant of which are shown below:

140871/LO/2024 - LISTED BUILDING CONSENT for retention of illuminated hand-painted fascia sign – Application pending consideration.

137821/LO/2023 - Listed Building Consent for internal works comprising of installation of kitchen, extract equipment and internal partitions, and external works for the replacement of glazed entrance with timber door, removal and replacement of feature lamps to entrance and installation of new plant to roof – Approved April 2024.

137820/FO/2023 - Creation of restaurant use at lower ground floor (Class E(b)) and external alterations comprising of removal of glazed entrance, installation of timber door replacement, replacement of external feature lamps, addition of menu boards, and new plant equipment to roof – Approved April 2024.

133282/LO/2022 - Refurbishment and alteration works to office building comprising the reconfiguration of main entrance and expansion of reception area, use of lower ground floor as a bar (sui generis), removal of glazed canopy over main entrance, infill of enclosed area at 5th floor level (creating 37 sqm Use Class E(g)(i) office space), replacement of existing glazed entrance screen; repainting of modern ground floor feature western elevation, guardrails, and window frames; replacement of external lighting and removal of redundant lighting; installation of platform lifts; removal of car lift, roller shutter door and louver to vehicle entrance to north elevation of building and creation of additional glazed entrance and reception; installation of upgraded toilet facilities; use of basement for bike store, gym, sauna, changing facilities, toilets and showers ancillary to existing office use of building; other internal works to enable enhancement of internal spaces; removal of redundant plant to roof level and installation of new plant and PV panels – Approved July 2022.

133119/FO/2022 - Application for full planning permission (including a partial change of use to lower ground floor from Office Use (Class E(g)i) to Public House, Wine Bar, or Drinking Establishment Sui Generis (p)) to include removal of glass canopy above main entrance, alterations to entrances to south (front) elevation, the infill of an enclosed area to the fifth floor to create an additional 37 square metres of office space (Class E(g)(i), repainting of modern ground floor feature to western return elevation, replacement of external lighting and removal of redundant lighting, removal of roller shutter door and louvre to vehicle entrance to north (rear) elevation and replacement with glazed entrance and reception, removal of redundant plant, lift

overrun to roof level, creation of new plant screen, placement of new plant equipment and PV panels to roof – Approved July 2022.

Consultations & Notification Responses

Environmental Health – No objection subject to the advertisement being illuminated in accordance with the submitted information.

Highways – No objection subject to an informative relating to highway hoarding.

Publicity – None received.

Policy

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 Manchester Core Strategy – Development Plan Document 2012 – 2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester – For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC14 – Shop Fronts and Related Signs
- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings

The Places for Everyone Plan – Joint Development Plan Document, for nine of the ten boroughs which make up Greater Manchester, adopted by the City Council on 21st of March 2024.
- Policy JP-P2 – Heritage

Other Material Considerations

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and Enhancing the Historic Environment

National Planning Practice Guidance (NPPG)

Planning (Listed Buildings and Conservation Areas) Act 1990

Issues

Visual Amenity

The proposed advertisement has been installed on a prominent elevation within the Deansgate Conservation Area. Existing advertisements in the neighbouring area consist of individual letter signs, and some projecting signs and branded awnings.

The proposed hand painted sign is confined to the previously approved timber fascia board located above the property's eastern Peter Street entrance. The use of painted lettering provides a subtle finish to the advertisement and its positioning at fascia level above the property's doorway forms a natural location for signage. Additionally, the method of illumination is screened from view, thus giving the impression that the sign is merely painted lettering in hours of daylight.

The proposed luminance level of 250cd/m² would be of such a brightness where the sign would not detract from local visual amenity and general neighbouring amenity. Environmental Health do not object to the proposal.

Subject to a condition that would limit the proposed advertisement's luminance to that in line with the proposed, it is considered the proposal is acceptable in this regard and therefore accords with Core Strategy Policies SP1, CC9, EN1, EN3 and DM1, Saved Unitary Development Plan Policies DC14, DC18 and DC19, Places for Everyone Plan Policy JP-P2 and the National Planning Policy Framework.

Highway Safety

The proposed hand painted fascia sign would not overhang the public highway and would not be illuminated. Highways do not object to the proposal subject to an informative relating to highway hoarding. As the development is for the retention of signage that has already been installed, the inclusion of such an informative on a decision notice in the event of an approval is considered to be unnecessary. On this basis the proposal is acceptable from a highway safety perspective and is therefore in accordance with Core Strategy Policies DM1 and the National Planning Policy Framework.

Conclusion

In light of the above, the development, subject to appropriate planning condition, the proposal is acceptable and accords with Core Strategy Policies SP1, CC9, EN1, EN3 and DM1, Saved Unitary Development Plan Policies DC14, DC18 and DC19, Places for Everyone Plan Policy JP-

P2, the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework. The application is therefore 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 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:

- o AXI L00: Location and Site Plans
- o 23-161 EL-06: Planning: Existing and Proposed External Elevations
- o 23-161 JD-03 Rec D: Planning: Entrance Door Details 2/2
- o 23-161 JD-04 Rev A: Planning: Proposed Entrance Signage

All stamped as received by the City Council as Local Planning Authority on 10/09/2024. This permission only relates to the fascia signage shown on the approved plans listed above.

Reason - To ensure that the appearance of the development is acceptable to the City Council as local planning authority in the interests of the visual amenity of the area within which the site is located, as specified in policies SP1 and DM1 of the Core Strategy.

3) The luminance level of the advertisement hereby approved shall not exceed 250cd/m² at any time for the lifetime of the development.

Reason - In the interests of visual and residential amenity pursuant to policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy and saved policies DC14.1, DC19.1 and E3.3 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

10 Southmill Street, Manchester, M2 3NW
First Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
C, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Fourth Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Fifth Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
Radisson Edwardian Hotel, Peter Street, Manchester, M2 5GP
Second Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5GB
First Floor To Third Floor, 47 Peter Street, Manchester, M2 3NG
35 Peter Street, Manchester, M2 5GD
Ground Floor, 35 Peter Street, Manchester, M2 5GD
Fifth Floor, 35 Peter Street, Manchester, M2 5GD
Fourth Floor, 35 Peter Street, Manchester, M2 5GD
Third Floor, Freetrade Exchange, 37 Peter Street, Manchester, M2 5QD
47 Peter Street, Manchester, M2 3NG
Club Coliseum, Peter Street, Manchester, M2 3NQ

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 - Deansgate Conservation Area 1985
Area Team Boundary - Name: CENTRAL