

## Planning

## Growth & Development

### Delegated officer report for planning application

**Application no.** 139587/AO/2024

**Date registered valid:** 21 March 2024

**Proposal:** Retention of 1no. projecting sign and 1no. individual letter sign.

**Address:** Cex, 1 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH

**Ward(s):** Piccadilly Ward

**Applicant:** Ms Emily Nelson Starbucks Coffee Company

**Agent (if any):** Design Team Layered

**Case officer:** Max Gibson  
Tel: 0161 219 6359  
Email: maximillian.gibson@manchester.gov.uk

**Recommendation:** Approve

**Date of recommendation:** 13/05/2024

## Application details

**Type of application:** Advertisement Consent

**Development type:** Advertisements

**Date of site visit:**

### Standard consultations:

Printed: 3 April 2024      Expired: 24 April 2024

### Neighbour notifications

Printed: 3 April 2024      Expired: 24 April 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 Gateway House, an iconic modernist office block designed by Richard Seifert & Partners, which was completed in 1969. It is nicknamed the 'lazy s' owing to its curved, undulating facade which leads up to the Manchester Piccadilly Station concourse. The building's aesthetic is characterised by long, sweeping lines and is highly glazed. It has undergone significant renovation, completed in 2017, and now comprises ground floor commercial units with a hotel to the upper floors. The site does not fall within a conservation area.

**Listed building:** Not applicable

**Conservation area:**

**Tree Preservation Order:**

### Description of area

The area relates to Manchester Piccadilly, the main national transport hub in Manchester. The area comprises many different uses, including transport, drinking, dining, office, hotel and residential.

### Description of development

Retention of 1no. projecting sign and 1no. individual letter sign to the glass curtain wall of a commercial unit to the ground floor of gateway house.

## 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 - no objections, condition controlling lighting requested.

MCC Highways - no objections, no projecting over licence needed as no over adopted highway

HS2- no objections, standard informative requested (attached)

## Issues

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 DM1 (Development Management), SP1 (Spatial Principles), the Saved Policies contained within the Unitary Development Plan for Manchester in particular DC14 (Shop fronts and Related Signs), DC15 (Advertisements, Hoardings and Posters and the National Planning Policy Framework, in particular Section 12 (Achieving well-designed places) and Section 16 (Conserving and enhancing the historic environment).

### 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

## 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 seeks the continued display of 1no. individual letter, internally-illuminated fascia sign with logo feature to the glass curtain wall and 1no. internally illuminated projecting sign to a ground floor unit of Gateway House, on Station Approach which leads down from the main entrance of Piccadilly Gardens station to Ducie Street.

The fascia sign consists of individual letters mounted to the glass curtain wall, which echoes the style of fascia sign along the row of units on Station Approach. The letters are monochrome, white lettering with no background, which affords the sign a simple appearance, thereby making it less obtrusive in the street scene.

The projecting sign is modest in scale and massing, with a depth of 30mm that is supported in the City Centre, giving the sign a more lightweight appearance, which compliments the lightweight appearance of Gateway House's glazed facade.

The sign would be internally-illuminated with a maximum illuminance level of 320cd/m<sup>2</sup>, a level that has been accepted by Environmental Health. This low illuminance level ensures the signage should not be overly-obtrusive visually nor cause disamenity to hotel occupiers on the upper floors, which is further mitigated by the overhang under which the sign would sit.

Given the simple appearance of the fascia lettering, the modest scale of both signs and the slimline depth of the projecting sign, together with the illuminance level of both signs, it is considered that there are no visual amenity concerns that would warrant a refusal.

#### **Public safety**

The sign would not face out on to adopted highway so would experience little passing traffic. The illuminance level is sufficiently low to prevent driver distraction for passing buses. There is sufficient headroom clearance for pedestrians. The application has been assessed by MCC Highways and Environmental Health and no objections were raised. Therefore, there are no public safety concerns that would warrant a refusal.

#### **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) 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 A7.1 ELEVATION received by the City Council, as Local Planning Authority, on 21/03/2024

-Drawing - Proposed DRAWING PACK received by the City Council, as Local Planning Authority, on 25/04/2024

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 320cd/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 advised that part of the application site falls within land that is currently safeguarded for construction and/or operation of HS2 Phase 2b (Crewe to Manchester and Birmingham to Leeds). Although the Government have announced the cancellation of this section of high-speed rail line, Safeguarding Directions are still in place. However, in line with the commitments made in the accompanying Network North Command Paper, safeguarding is to be amended for HS2 Phase 2b by summer 2024 to allow for any safeguarding needed for Northern Powerhouse Rail Network North schemes. At present it is not possible to determine if or how that will affect safeguarding in this location. As such, the applicant is advised to closely follow ongoing progress of the Network North programme for any updates at: <https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fnetwork-north.%25E2%2580%259D&data=05%7C02%7Cmaximillian.gibson%40manchester.gov.uk%7Cc23d99b829ac418df67008dc53e64915%7Cb0ce7d5e81cd47fb94f7276c626b7b09%7C0%7C0%7C638477495738266444%7CUnknown%7CTWFPbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQ>

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MhQ9iOWbU04VFAusE3%2BbBikBuS62TBjAWA%3D&reserved=0

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

High Speed Two (HS2) Limited  
Highway Services  
Environmental Health

6 - 7 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH  
City Inn, 1 Piccadilly Place, Manchester, M1 3DG  
CAFFÈ NERO, Tower Unit A, Gateway House, Piccadilly Station Approach, Manchester, M1 2GH  
Barnardo's, 4 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH  
Ladbrokes, 2 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH  
8 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH  
3 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH  
5 Gateway House, Piccadilly Station Approach, Manchester, M1 2GH  
Native Aparthotel, Ducie Street, Manchester, M1 2TP

## **Appendix 2 – Planning constraints**

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4  
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3  
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (June 2022)  
HS2 Phase 2b Safeguarding Zones - HS2 Safeguarding Zones (October 2020)  
Area Team Boundary - Name: CENTRAL