MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139405/AO/2024
Date registered valid:	3 April 2024
Proposal:	Installation of 3no. internally illuminated fascia signs and 2no. internally illuminated projecting signs.
Address:	26 Market Street, Manchester, M1 1PW
Ward(s):	Piccadilly Ward
Applicant:	HOP Vietnamese Ltd.
Agent (if any):	Fiona Campbell Pegasus Group
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**20th May 2024**

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 15 April 2024

Standard consultations:
Printed: 10 April 2024 Expired: 1 May 2024

Neighbour notifications
Printed: 10 April 2024 Expired: 1 May 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/Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

The unit is located on the far end of Market Street, on the junction with Cross Street, in the City Centre ward of Piccadilly. There are two shopfront elevations, with the principal northern elevation facing onto Market Street, and a longer western elevation facing onto Cross Street.

Louvred panels are currently affixed above the glazing over both elevations. The vacant unit (Class E) was previously occupied by Samsung. The main entrance to the unit on Cross Street has level access. A secondary entrance on Market Street does not benefit from level access.

Market Street is predominantly commercial in character, comprising of a variety of retail shops, with some café and takeaways units. The area is a primary shopping area of Manchester City Centre.

The street is covered above at the location of the application site by the Manchester Arndale shopping centre.

Cross Street comprises a wide road, and is characterised by retail, food, and drink uses at ground floor level.

The host building is not listed, and it is not located within a Conservation Area. The site is located adjacent to St Ann's Square Conservation Area, the boundary of which runs through the centre of Cross Street, and it sits directly opposite the Grade II listed Royal Exchange on the other side of Cross Street.

Description of Development

The proposal seeks advertisement consent for the installation of 3no. internally illuminated fascia signs and 2no. internally illuminated projecting signs.

Related Applications

139404/FO/2024 - Shopfront alterations, including installation of tiling.
Approved May 2024.

128715/AO/2020 - Installation of replacement fascia signage comprising new fascia signs including 2no. internally illuminated projecting blade signs and no.3 internally illuminated individual letter signs.
Approved January 2021.

105388/AO/2014/C1 - Retention of internally illuminated signage comprising 3no. fascia panels with individual letter signage attached and 2no. projecting signs with individual letter signage attached.
Approved July 2014.

062321/FO/CITY1/01 - Installation of a new shop front.
Approved July 2001.

062242/AO/CITY1/01 - 3no. illuminated individual letter fascia name signs and 2no. projecting signs.
Approved July 2001.

Consultations & Notification Responses

Highway Services - Requested that some informatives be added relating to highway issues, including working near the tram.

Environmental Health - Are satisfied with the luminance levels of the proposal.

Publicity - Neighbour notification letters were sent to surrounding properties. No representations have been received because of this publicity.

Policy

Town and Country Planning (Control of Advertisements) Regulations 2007

(1) A 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 Adopted Core Strategy for the City of Manchester

Adopted on 11th July 2012 and the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety, and well-being of residents, consider the needs of all members of the community, and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

The Unitary Development Plan for the City of Manchester

DC14.1 (Shops and Related Signs) states that in determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

DC14.5 (Shops and Related Signs) states that the Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In

determining such applications, the Council will adopt the following policies. The policies relevant to this application are:

a) signs should not normally be positioned other than at fascia level.
b) signs should respect the architectural form of buildings and shop frontages.
c) where no obvious fascia level exists, signs above shopfronts should be in keeping with the scale of the frontage of the building and in particular should not fill the gap between ground floor shop windows and first floor windows.
d) projecting box signs, or any other type of sign which projects significantly beyond the shopfront, should line up with the associated fascia board. Where this is not the case, such proposals will not be permitted.
e) On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs.

DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:
- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

National Policy

Decisions should accord with the requirements of the National Planning Policy Framework (2023), in particular to section 16 (Conserving and Enhancing the Historic Environment). Paragraph 136 of section 16 states:

The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient, and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

The Adopted Core Strategy for the City of Manchester

Adopted on 11th July 2012 and the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The following policies within the Core Strategy are considered relevant:

Policy DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and

crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety, and well-being of residents, consider the needs of all members of the community, and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

The Unitary Development Plan for the City of Manchester

DC14.1 (Shops and Related Signs) states that in determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

DC14.5 (Shops and Related Signs) states that the Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In determining such applications, the Council will adopt the following policies. The policies relevant to this application are:

a. signs should not normally be positioned other than at fascia level.
b. signs should respect the architectural form of buildings and shop frontages.
c. where no obvious fascia level exists, signs above shopfronts should be in keeping with the scale of the frontage of the building and in particular should not fill the gap between ground floor shop windows and first floor windows.
d. projecting box signs, or any other type of sign which projects significantly beyond the shopfront, should line up with the associated fascia board. Where this is not the case, such proposals will not be permitted.
e. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs.

National Policy

Decisions should accord with the requirements of the **National Planning Policy Framework (2023)**, in particular to **section 7 (Requiring Good Design)** and **section 12 (Achieving well-designed and beautiful places)**.

Paragraph 141 of section 12 states:

"The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient, and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Issues

The main issues for consideration relate to the principle of the development, as well as the acceptability of the proposal in terms of its impact upon visual amenity and its impact upon public safety.

Principle of Development

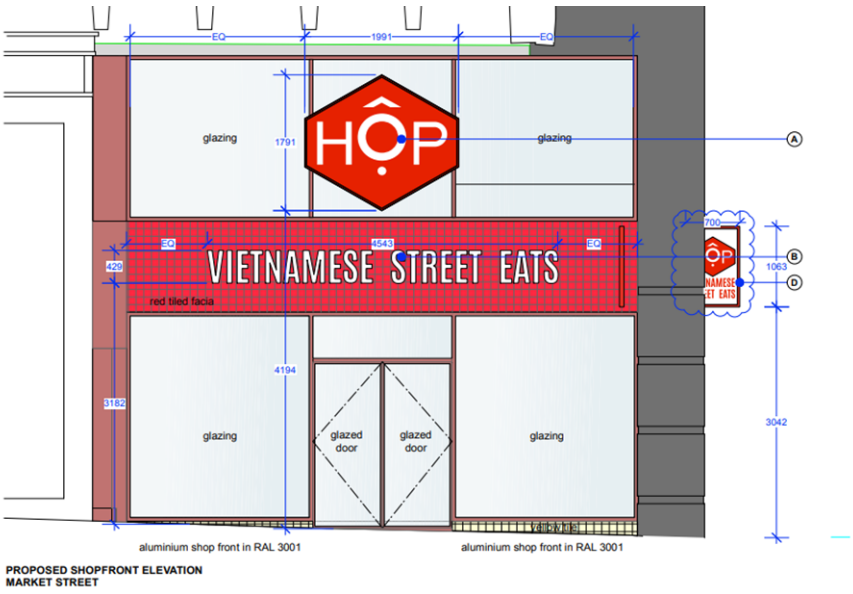
The principle of the development is considered to be acceptable in this case. Signage is required in order to advert a food establishment such as this, and the levels of signage proposed are proportionate for a unit of this size.

Visual Amenity

The proposed fascia, projecting signs, and shopfront framing will be finished in a red colour ensuring visual consistency throughout.



Existing Market Street Elevation



Proposed Market Street Elevation

The fascia sign will incorporate a tiling pattern and is considered to provide more visual interest and an improvement in the visual amenity of the unit compared to the fascia signage currently on site.

The projecting signs are slim at 40mm depth, of an appropriate height and width, sited at an appropriate height, and given that the site has two elevations, it is considered acceptable to have two projecting signs it total, one for each elevation.



Existing Cross Street Elevation

The proposed logo sign that sits at a higher level of the unit on the Market Street elevation is considered to be acceptable. The louvre in place at this high level will be replaced with glazing, which has been approved in the accompanying Planning Permission application 139404/FO/2024.

The principle of internally illuminated signage fixed to a glazed shopfront at this higher level has been accepted previously at the neighbouring Costa at 28 Market Street (application

110991/AO/2016/C1), Tui at 30 Market Street (application 114616/AO/2016), and opposite at TSB at 21 Market Street (application ref. 116252/FO/2017).

Any window vinyl on the drawings have been confirmed to be applied internally to the glazing. These benefit from deemed consent and so do not require advertisement consent.

The drawings also show that the louvres on Cross Street will be painted in yellow. It is noted on the drawings that this will be implemented under permitted development rights. For the avoidance of doubt, the approval of this consent does not grant any formal approval of the painting of these louvres by the Local Planning Authority.

Public Safety

There are no public safety concerns with the proposed signage. The luminance levels are within an acceptable range to not cause any distraction to passing pedestrians or road users, or to cause a disturbance to any nearby commercial occupiers.

All signage complies with headroom and carriageway clearance requirements.

Conclusion

Given the above, the proposal is considered to be consistent with National Planning Policy Framework, in particular Section 7 (Requiring Good Design), the Core Strategy for the City of Manchester, in particular DM1 (Development Management) and SP1 (Spatial Principle), and the Saved Policies contained within the Unitary Development Plan for Manchester, in particular DC14 (Shop fronts and Related Signs).

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,

- Proposed Market Street Shop Front Elevation P008 F
- Proposed Signage Details P012 F

Received by Manchester City Council as the Local Planning Authority on 16 May 2024:

- Proposed Shop Front Elevation Cross Street (ref. P009 Rev. G)
- Proposed Shop Front Elevation Cross Street (ref. P010 Rev. H)
- Proposed Shop Front Elevation (ref. P011 Rev. G)

Received by the City Council, as Local Planning Authority, on the 28 May 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, and saved policies DC14 and DC18.1.

3) The maximum luminance shall not exceed 600cd/m2 in brightness at any time.

Reason - In the interests of visual and residential amenity pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy and saved policies DC14.1, DC18.1, DC19.1 and E3.3 of the Unitary Development Plan for the City of Manchester.

Informatives

1) The proposed signs extend to a maximum projection of 700mm over the adopted highway. As such, a Projection over License will be required. This can be obtained from https://www.manchester.gov.uk/directory_record/451898/projecting_over_the_highway#:~:text=Summary,also%20need%20to%20be%20licensed.

2) The applicant is to be advised of the details of working safely near Metrolink which can befound 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.

3) Any requirements for licensing, Section 50, hoarding / scaffolding, skips and any associated temporary traffic management arrangements where there is an impact on the highway will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email -highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk

For any proposed construction or fit out arrangements, where there is an impact on the highway. This should be accommodated within the site and there should be no impact on the adjacent highway. This activity should not detrimentally impact the operation of adjacent units.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Ocean Dental Manchester, Second Floor, Boots, 32 Market Street, Manchester, M1 1PL
Boots, 32 Market Street, Manchester, M1 1PL
Kiosk 19A, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 19, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Units R10 To R19, Arndale Centre, Market Street, Manchester, M4 3AT
City Health Centre, Second Floor, 32 Market Street, Manchester, M1 1PL
Unit R36, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R35, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R34, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R33, Arndale Centre, Market Street, Manchester, M4 3AT
Units R31 And R32, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R30, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R29, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R28, Arndale Centre, Market Street, Manchester, M4 3AT
Units R26 And R27, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R25, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R24, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R23, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R22, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R21, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R20, Arndale Centre, Market Street, Manchester, M4 3AT
Advertising Right JC Decaux Outside 1, Cross Street, Manchester, M2 1HX
8 - 10 Cross Street, Manchester, M2 7AE
Scappaticci, Kiosk Adjacent 42 To 46, Market Street, Manchester, M1 1PW
Stall Opposite Unit R23, Arndale Centre, Market Street, Manchester, M4 3AT
Stall Opposite Unit R21, Arndale Centre, Market Street, Manchester, M4 3AT
NatWest, 19 Market Street, Manchester, M1 1WR
Hutchinson 3G, 27B Market Street, Manchester, M1 1WR
Marks And Spencer, 7 - 17 Market Street, Manchester, M1 1PT
1 Cross Street, Manchester, M2 1HX
3 Cross Street, Manchester, M2 1WE
14 Market Street, Manchester, M1 1PT
29A Market Street, Manchester, M1 1WR
Kiosk 12, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 11, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 10, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 9, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 8, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
27 Market Street, Manchester, M1 1WR
Kiosk 6, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Taco Bell, Kiosk 5, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 4, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 3, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
McDonald's, Kiosk 2, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 1, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 7, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
19A Market Street, Manchester, M1 1WR
25 Market Street, Manchester, M1 1WR
12 Market Street, Manchester, M1 1PT

16 Market Street, Manchester, M1 1PT
Royal Exchange Theatre, Exchange Street, Manchester, M2 7HA
2A Cross Street, Manchester, M2 7AE
23 Market Street, Manchester, M1 1WR
28 Market Street, Manchester, M1 1PW
21 Market Street, Manchester, M1 1WR
30 Market Street, Manchester, M1 1PW
2 Cross Street, Manchester, M2 7AE
Unit R9, Arndale Centre, Market Street, Manchester, M4 3AT

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
Area Team Boundary - Name: CENTRAL