MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138790/AO/2023
Date registered valid:	2 January 2024
Proposal:	Installation of 2no. non-illuminated plaque signs and 1no. non-illuminated projecting signs.
Address:	King Street Townhouse, 10 Booth Street, Manchester, M2 4AW
Ward(s):	Deansgate Ward
Applicant:	Ms Cammann
Agent (if any):	Jackson Harris Lakeside Signs Limited
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**8 February 2024**

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 9 January 2024

Standard consultations:
Printed: 8 January 2024 Expired: 29 January 2024

Neighbour notifications
Printed: 8 January 2024 Expired: 29 January 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 Area/Site

Listed building: Grade II

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

The site is located within the Upper King Street Conservation area and is bounded by Booth Street to the north of the building and Kennedy Street to the south of the building. The site also sits near the boundary of the Albert Square Conservation Area.

The adjacent buildings include Massey Chambers to the west which is a residential building accessed primarily from Booth Street. At basement level the proposal links through to 2 Booth Street via a corridor to allow access to the newly created Spa and Gym facility. To the east of the site is Belvedere Business Centre which is a mixed use building comprising of predominantly office space with retail outlets at Ground Floor.

King Street Townhouse is a former bank built in 1874 which was renovated in 2015 to a 4* deluxe hotel. It is a grade II listed building from Basement level up to 4th Floor Level with a 2015 renovation adding on a three storey extension. The existing extension includes hotel guestrooms at 5th Floor, Events Space and associated terrace at 6th Floor with Spa facilities including external pool at 7th Floor.

Description of Development

The proposal seeks advertisement consent for new external signage consisting of 2no. non-illuminated plaque signs and 1no. non-illuminated projecting signs.

Related Applications

138872/LO/2023 - Listed Building Consent for new external signage consisting of 2no non-illuminated plaque signs and 2no non-illuminated projecting signs.

Consultations & Notification Responses

Highway Services - Confirmed that all signage complies with headroom and carriageway clearance requirements. An informative has been added regarding projection over licences and fit out arrangements.

Environmental Health - Signage is not illuminated so they have no comments to make.

Publicity - Neighbour notification letters were sent to surrounding properties. At the time of writing this report, no representations have been received because of this publicity.

Policy

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 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.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

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) 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) 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. In the interests of amenity,
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.

Saved Policy 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.

Saved Policy 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.

Other Legislation

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas.

National Policy

Decisions should accord with the requirements of the **NPPF** in particular and to **section 16 (Conserving and Enhancing the Historic Environment)** and **Paragraph 136** which 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

Principle

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity as well as its impact upon public safety. The main policies that relate to the assessment of the proposal are the National Planning Policy Framework, in particular Section 7 (Requiring Good Design) and Core Strategy policies DM1 (Development Management) and SP1 (Spatial Principles) and the Saved Policies contained within the Unitary Development Plan for Manchester in particular policy DC14 (Shop fronts and Related Signs).

Visual Amenity

It is not considered that the signage would have any notable or detrimental impact upon the either the visual amenity of the existing architecture and design of the host building, or upon the visual amenity of the surrounding street scene and area. The overall appearance of the signage is considered to be sophisticated, not too bulky, and is considered to be consistent with other similar signage in the surrounding area.

Public Safety

All signage complies with headroom and carriageway clearance requirements. There is no luminance to the projecting signs proposed.

Conclusion

Given the above, the proposal is considered to be consistent with National Planning Policy Framework, in particular Section 7 (Requiring Good Design) and the Core Strategy for the City of Manchester, in particular policies DM1 (Development Management), and the Saved Policy contained within the Unitary Development Plan for Manchester in particular policies 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 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:

Received by the City Council as Local Planning Authority on 08 December 2023:
- Location Plan

Received by the City Council as Local Planning Authority on 25 January 2024:
- Proposed Elevation
- Proposed External Plaque and Projecting Signs Rev 04

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.

Informatives

1) In relation to any proposed construction or fitout arrangements, where there is an impact on the highway taking into consideration the
surrounding traffic restrictions, any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Third Floor, 10 Kennedy Street, Manchester, M2 4BY
Second Floor, 10 Kennedy Street, Manchester, M2 4BY
First Floor, 10 Kennedy Street, Manchester, M2 4BY
Second Floor, 16 Kennedy Street, Manchester, M2 4BY
First Floor, 16 Kennedy Street, Manchester, M2 4BY
Kyocera Document Solutions, 3 - 7 Booth Street, Manchester, M2 4DU
Second Floor, 14 Kennedy Street, Manchester, M2 4BY
Flat 23, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 24, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 25, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 31, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 32, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 33, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 14, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 15, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 16, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 22, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 43, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 41, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 42, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 21, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 12, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
Flat 11, The Chambers, 2 - 6 Booth Street, Manchester, M2 4AT
16 Kennedy Street, Manchester, M2 4BY
Basement, 16 Kennedy Street, Manchester, M2 4BY
Third Floor, 16 Kennedy Street, Manchester, M2 4BY
Ground Floor, 16 Kennedy Street, Manchester, M2 4BY
10 Kennedy Street, Manchester, M2 4BY
1 - 3 Clarence Street, Manchester, M2 4DE
Clarence Buildings, 2 Booth Street, Manchester, M2 4AT
20 Kennedy Street, Manchester, M2 4BY
14 Kennedy Street, Manchester, M2 4BY
24 Kennedy Street, Manchester, M2 4BY

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
Conservation Area - Upper King Street (Extension) Conservation Area 1985
Area Team Boundary - Name: CENTRAL