MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139813/AO/2024
Date registered valid:	20 May 2024
Proposal:	Installation of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign.
Address:	33 Market Street, Manchester, M1 1WR
Ward(s):	Piccadilly Ward
Applicant:	Miss H H
Agent (if any):	Miss Harley Watson Butterfield Signs Limited
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**27th June 2024**

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 24th June 2024

Standard consultations:
Printed: 5 June 2024 Expired: 26 June 2024

Neighbour notifications
Printed: 5 June 2024 Expired: 26 June 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 application site relates to a retail unit located along the busy pedestrianised highway of Market Street within the City Centre of Manchester. The immediate area consists of mixed uses predominantly containing retail, banking, cafes, and restaurants.

Given the City Centre nature of the area, advertisements are commonplace in the surrounding street scene. The unit is located close to two conservation areas the wider context there are listed buildings along Market Street however given the scale and design of the proposal, any nearby listed buildings are not considered to be materially affected.

Description of Development

The proposal seeks advertisement consent for the installation of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign.

Consultations & Notification Responses

Highway Services - Confirmed that the signs comply with headroom and carriageway clearance requirements, that they will not project over the adopted highway and will therefore not require a projection over licence, and that the luminance levels are within a limit acceptable to Highways. Requested that an information be added concerning any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements.

Environmental Health - Requested that a condition be added to control luminance levels.

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 developers 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 (UDP)

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) The Council will normally permit only one projecting box sign for each shop unit. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs.
f) fixed canopies mounted above fascia level or which obscure the fascia or shopfront will not normally be permitted, unless within a structural opening;
g) long canopies which ignore the architectural form of frontages will not normally be permitted.

National Policy

Decisions should accord with the requirements of the **National Planning Policy Framework (2023).** It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development".

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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."

Issues

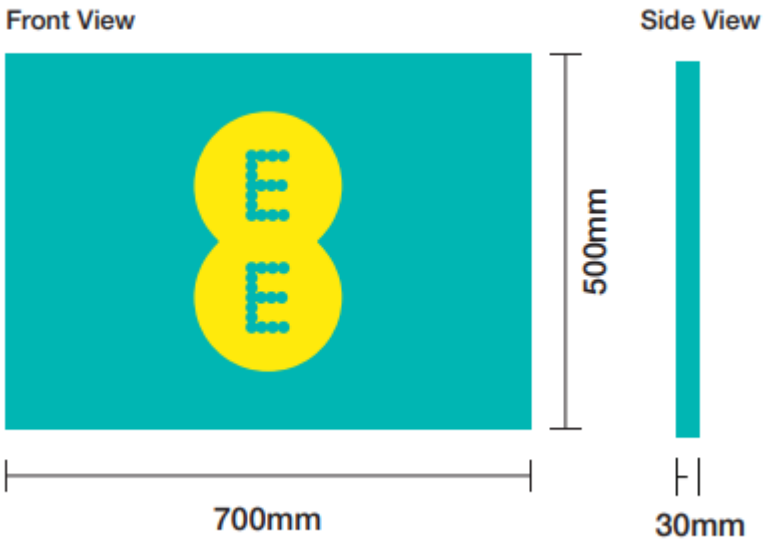
The main issues for consideration relate to the principle of the proposal, as well as the acceptability of the proposal in terms of its impact upon visual amenity and its impact upon public safety.

Principle of the Proposal

The principle of the proposal is considered to be acceptable in this case. Fascia and projecting signs are considered appropriate for a retail unit such as this in order to advertise the premises and to provide wayfinding. Signage signs such as the proposed are commonplace along Market Street and in the surrounding area and are included as an element in the signage strategy for this section of the Arndale Unit along Market Street.

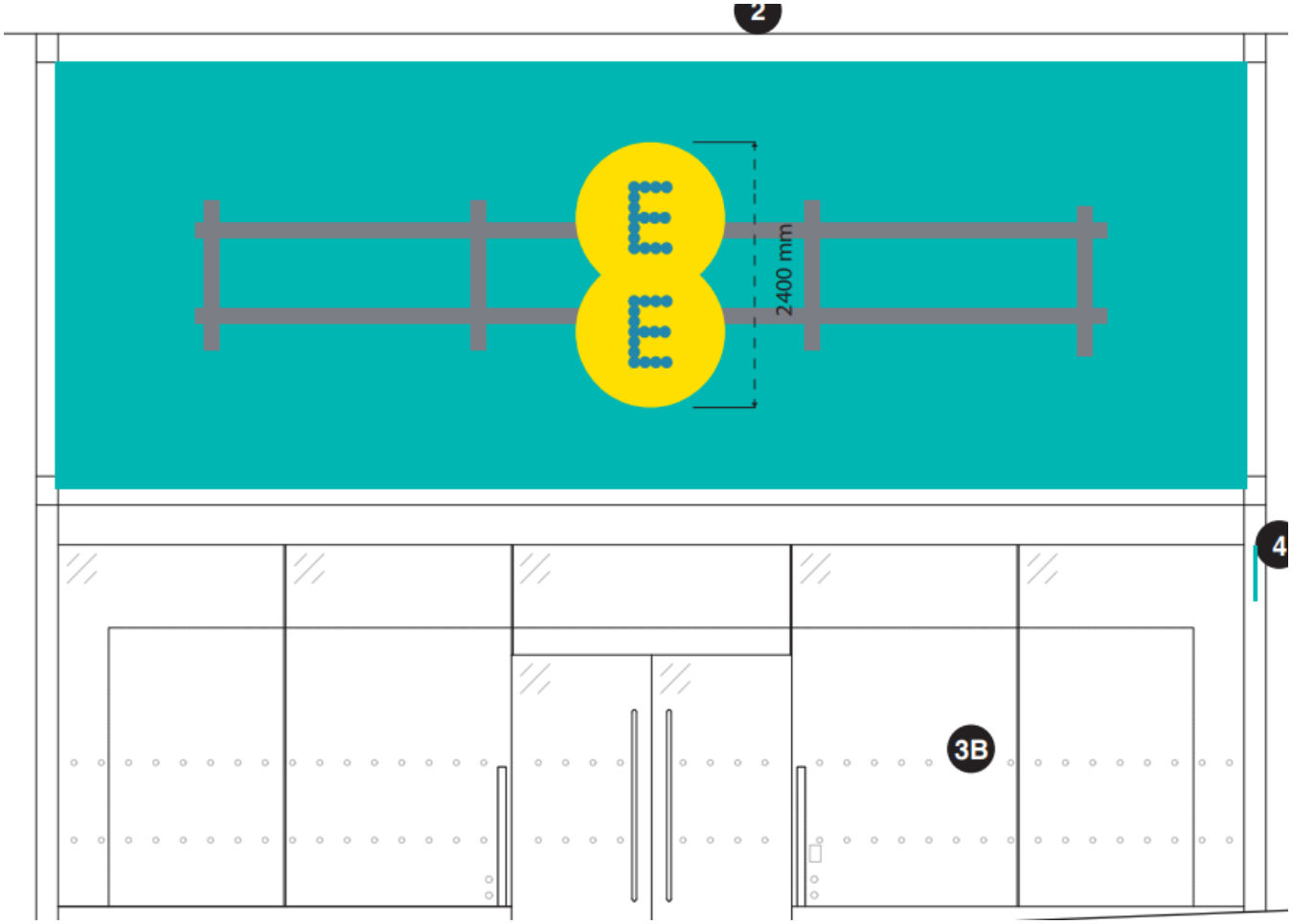
Visual Amenity

The design of the projecting sign is slender, of high quality, in keeping with the area, and at 500mm high by 700mm size, the sign complies with the signage strategy for this section of units in the Arndale along the lower section of Market Street.



Proposed Projecting Sign

UDP policy DC14.5 states that "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".



Proposed Elevation

The situation with this section of Market Street is an exceptional case. The primary signage is mounted on rails quite a height above the unit, in line with the approved signage strategy. A secondary signage zone is allowed under the signage strategy to have additional signage at what would be considered the more traditional fascia signage level. The applicant is planning to install signage behind the glass at this level. As the signage is situated behind the glass, it does not form part of this proposal. The projecting sign will be sited in line with this secondary signage zone and any signage that will be placed behind the glass in this area. This is also in line with the majority of projecting signs along this elevation on this stretch of Market Street, so there will be a visual cohesion in the projecting signs.

The primary signage consists of the logo of 'EE' mounted on the rails in the primary signage zone as identified in the Arndale Signage Strategy for this section of Market Street. Whilst the signage strategy states that this should be individual letter signage, there is a precedent of allowing logos on the rails in this location, such as the logos for the units occupied by 'Size?', 'O2', and 'EE'.

The primary signage is considered to be of a scale proportionate to back panel. It is not too bulky or overbearing in size and mass.

Powder coated aluminium panels will form the aqua coloured background to the primary signage zone. This is in line with the approved signage strategy, which states that the back panel must be "Architectural grade material finish by brand into metal tray frame by brand."

Overall, the proposed signage is not considered to be detrimental to the visual amenity of the host building or surrounding street scene. The proposal is considered to be in keeping with the

character of the building and adjoining buildings, of adjoining shopfronts, and of the area within which the premises are located, showing compliance with UDP policy DC14.1, and the designs of the signage are considered to be compliant with the particulars outlined in UDP policy DC14.5.

Public Safety

The luminance levels of the signage are 300cd/m2 and are therefore 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. A condition has been added to ensure that the proposed luminance levels are controlled and complied with.

All signage complies with headroom and carriageway clearance requirements.

Overall, there are no public safety concerns with the proposed signage.

Conclusion

Given the above, the proposal is considered to be consistent with the Core Strategy for the City of Manchester, in particular DM1 (Development Management) and SP1 (Spatial Principles), the saved policies contained within the Unitary Development Plan for Manchester, in particular DC14.1 and DC14.5 (Shop fronts and Related Signs), and the National Planning Policy Framework, in particular Section 12 (Achieving Well Designed Places) and Section 16 (Conserving and Enhancing the Historic Environment).

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, received by Manchester City Council as the Local Planning Authority on 18 April 2024:

- Location Plan

Received by Manchester City Council as the Local Planning Authority on 21 June 2024:

- Proposed Elevations, Logo & Site Plan X6 Drawing Pack

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 of the signage shall not exceed 300 cd/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 projecting signs extends to a maximum projection in excess of of 350mm over the adopted highway and will therefore require a projection over licence, to be funded at the

applicants expense. 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) Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements, will need discussion and agreement with the council's Highway Network Management teams via Email -highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Cafe Opposite 31, Arndale Centre, Market Street, Manchester, M4 2HU
68 - 70 Market Street, Manchester, M1 1PW
31 Arndale Centre, Market Street, Manchester, M4 2HU
72 Market Street, Manchester, M1 1PN

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL