MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139167/AO/2024
Date registered valid:	13 February 2024
Proposal:	Installation of 1no. illuminated projecting sign.
Address:	Land Off Oldham Street And Spear Street, Manchester, M4 1LF
Ward(s):	Piccadilly Ward
Applicant:	Mr Neil Large Companio Bakery
Agent (if any):	Mrs Caroline Payne Emery Planning
Case officer:	Max Gibson Tel: 0161 219 6359 Email: maximillian.gibson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	5 April 2024

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:
Printed: 21 February 2024 Expired: 13 March 2024

Neighbour notifications
Printed: 21 February 2024 Expired: 13 March 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
This application relates to land at 76-82 Oldham Street and land bounded by Spear Street, Warwick Street, Houldsworth Street and Bradley Street. The two pieces of land are separated by Spear Street. The site has been used as a car park following a fire in 2013 that resulted in the loss of all but one of the buildings on site including the substantial artdeco building that was formerly Dobbins department store. The building remaining on site, 5 Warwick Street, is a two story brick built building constructed in the 1930's that has seen some incremental change.

Listed building: Not applicable

Conservation area: Stevenson Square (Extension) Conservation Area 1987

Tree Preservation Order: **n/a**

Description of area
The site is within the Stevenson Square Conservation Area and opposite the Smithfield Conservation Area. Grade II Listed buildings at 132 Oldham Street, 105 Oldham Street, 66 Oldham Street are close to the site and the Grade II Listed former worker's cottages at 4-8 Bradley Street are opposite the site.

Other uses in the immediate area include offices, residential apartments, creative industries, shops, bars and restaurants. The adjoining property at 84-86 Oldham Street, is used for residential purposes. There are other nearby residential properties at 2 Houldsworth Street, 60a Oldham Street, 89-95 Oldham Street, 90-94 Oldham Street, 99 Oldham Street, 105 Oldham Street, 119 Oldham Street, 127 Oldham Street, 82 Tib Street, 100 Tib Street and 110-112 Tib Street.

Description of development
The proposal relates to the installation of 1no. projecting sign associated with a bakery use that will occupy the corner ground floor unit. The sign would be of a rectangular lightbox design, internally illuminated to 300cd/m2. The signage would have a depth of 30mm and its faces would measure 400x180mm.

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 illuminance levels requested. An appropriate condition is attached to this approval.
MCC Highways Services - no objections, projecting over licence required. An appropriate informative is attached to this approval.

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 DC18 (Conservation Areas) 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 projecting sign on the Warrens Street elevation is supported. The design is simple, comprising a rectangular, internally illuminated lightbox with the company logo and name applied to each face. The depth of only 30mm means the signage has a slimline, lightweight appearance. The site falls within a conservation area, where hanging, bracketed projecting signs are usually favoured. However, in this instance, the more modern and simplified design complements the contemporary architecture of the building, which has only recently been completed. The fixings would internal to the lightbox, which would ensure the signage has a tidy appearance. The low illuminance level, of 300cd/m2, would ensure the signage is not overly prominent or obtrusive in the wider street scene.

Public safety
No concerns were raised regarding public safety by either MCC Highways Services or Environmental Health. The illuminance would be of a sufficiently low level, 300cd/m2, to avert any potential disamenity to surrounding occupiers or create pedestrian and driver distraction. The signage would have sufficient head clearance. Given the above, 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 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:

-Drawing - Proposed 206 REV P02 PLANS received by the City Council, as Local Planning Authority, on 05/04/2024
-Supporting Information PLANNING STATEMENT received by the City Council, as Local Planning Authority, on 02/02/2024

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) Internally illuminated signage shall be designed and installed so as to:
a) control glare and overspill onto nearby properties
b) be controlled to not exceed 300cd/m2 during the hours of darkness.

Reason - In the interests of visual amenity and to safeguard the amenities of the occupiers of nearby properties pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy.

Informatives

1) The proposed signs extend to a maximum projection of 0.4m over the adopted highway. As such, a Projection over License will be required. This is obtainable via Contact Manchester on 0161 234 5004 and is to be funded at the applicant's expense.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 3, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 4, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 26, 70 Spear Street, Manchester, M1 1AW
Flat 8, 70 Spear Street, Manchester, M1 1AW
4 Bradley Street, Manchester, M1 1EH
73 Lever Street, Manchester, M1 1FL
Unit G1, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Unit G2, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Fifth Floor, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Unit G7, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Flat 30, 5 Warwick Street, Manchester, M1 1AU
Flat 41, 5 Warwick Street, Manchester, M1 1AU
Flat 52, 5 Warwick Street, Manchester, M1 1AU
Flat 63, 5 Warwick Street, Manchester, M1 1AU
Flat 57, 5 Warwick Street, Manchester, M1 1AU
Flat 54, 5 Warwick Street, Manchester, M1 1AU
Flat 35, 5 Warwick Street, Manchester, M1 1AU
Flat 37, 5 Warwick Street, Manchester, M1 1AU
Flat 64, 5 Warwick Street, Manchester, M1 1AU
Flat 3, 70 Spear Street, Manchester, M1 1AW
Flat 13, 70 Spear Street, Manchester, M1 1AW
Flat 4, 70 Spear Street, Manchester, M1 1AW
Flat 7, 5 Warwick Street, Manchester, M1 1AU
Flat 17, 5 Warwick Street, Manchester, M1 1AU
Flat 24, 5 Warwick Street, Manchester, M1 1AU
Flat 12, 5 Warwick Street, Manchester, M1 1AU
Flat 2, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 9, 70 Spear Street, Manchester, M1 1AW
Flat 25, 70 Spear Street, Manchester, M1 1AW
Ground Floor, 69 - 71 Lever Street, Manchester, M1 1FL
49 Lever Street, Manchester, M1 1FN
Flat 47, 5 Warwick Street, Manchester, M1 1AU
Flat 3, 5 Warwick Street, Manchester, M1 1AU
Flat 16, 5 Warwick Street, Manchester, M1 1AU
Flat 6, 5 Warwick Street, Manchester, M1 1AU
Flat 50, 5 Warwick Street, Manchester, M1 1AU
Flat 7, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 8, 84 - 86 Oldham Street, Manchester, M4 1LF
84 - 86 Oldham Street, Manchester, M4 1LF
Flat 19, 70 Spear Street, Manchester, M1 1AW
Flat 28, 70 Spear Street, Manchester, M1 1AW
61 - 63 Spear Street, Manchester, M1 1DF
Flat 13, 5 Warwick Street, Manchester, M1 1AU
Flat 18, 70 Spear Street, Manchester, M1 1AW
Flat 22, 5 Warwick Street, Manchester, M1 1AU
Flat 46, 5 Warwick Street, Manchester, M1 1AU
Flat 31, 5 Warwick Street, Manchester, M1 1AU
Flat 1, 5 Warwick Street, Manchester, M1 1AU
Flat 43, 5 Warwick Street, Manchester, M1 1AU

Flat 48, 5 Warwick Street, Manchester, M1 1AU
Flat 6, 84 - 86 Oldham Street, Manchester, M4 1LF
86 Oldham Street, Manchester, M4 1LF
73 - 75 Lever Street, Manchester, M1 1FZ
Basment Floor, 69 - 71 Lever Street, Manchester, M1 1FL
Unit G6, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Flat 34, 5 Warwick Street, Manchester, M1 1AU
Flat 40, 5 Warwick Street, Manchester, M1 1AU
Flat 53, 5 Warwick Street, Manchester, M1 1AU
Flat 18, 5 Warwick Street, Manchester, M1 1AU
Flat 60, 5 Warwick Street, Manchester, M1 1AU
Flat 10, 5 Warwick Street, Manchester, M1 1AU
Flat 69, 5 Warwick Street, Manchester, M1 1AU
Flat 59, 5 Warwick Street, Manchester, M1 1AU
Flat 15, 70 Spear Street, Manchester, M1 1AW
Flat 14, 70 Spear Street, Manchester, M1 1AW
Flat 11, 70 Spear Street, Manchester, M1 1AW
Flat 10, 70 Spear Street, Manchester, M1 1AW
6 Bradley Street, Manchester, M1 1EH
75 Lever Street, Manchester, M1 1FL
Ground Floor, 73 Lever Street, Manchester, M1 1FL
51 Lever Street, Manchester, M1 1FN
Sixth Floor, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Unit G3, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Flat 71, 5 Warwick Street, Manchester, M1 1AU
Flat 4, 5 Warwick Street, Manchester, M1 1AU
Flat 8, 5 Warwick Street, Manchester, M1 1AU
Flat 19, 5 Warwick Street, Manchester, M1 1AU
Flat 62, 5 Warwick Street, Manchester, M1 1AU
Flat 58, 5 Warwick Street, Manchester, M1 1AU
Flat 25, 5 Warwick Street, Manchester, M1 1AU
Flat 11, 5 Warwick Street, Manchester, M1 1AU
Flat 66, 5 Warwick Street, Manchester, M1 1AU
Flat 65, 5 Warwick Street, Manchester, M1 1AU
Flat 21, 5 Warwick Street, Manchester, M1 1AU
Flat 51, 5 Warwick Street, Manchester, M1 1AU
Flat 42, 5 Warwick Street, Manchester, M1 1AU
Flat 27, 70 Spear Street, Manchester, M1 1AW
Flat 2, 70 Spear Street, Manchester, M1 1AW
Flat 5, 70 Spear Street, Manchester, M1 1AW
Flat 6, 70 Spear Street, Manchester, M1 1AW
First Floor, 69 - 71 Lever Street, Manchester, M1 1FL
Flat 14, 5 Warwick Street, Manchester, M1 1AU
Flat 26, 5 Warwick Street, Manchester, M1 1AU
Flat 5, 5 Warwick Street, Manchester, M1 1AU
Flat 55, 5 Warwick Street, Manchester, M1 1AU
Flat 36, 5 Warwick Street, Manchester, M1 1AU
Flat 72, 5 Warwick Street, Manchester, M1 1AU
Flat 29, 5 Warwick Street, Manchester, M1 1AU
Flat 49, 5 Warwick Street, Manchester, M1 1AU
Flat 28, 5 Warwick Street, Manchester, M1 1AU
Flat 56, 5 Warwick Street, Manchester, M1 1AU
Flat 38, 5 Warwick Street, Manchester, M1 1AU
Flat 5, 84 - 86 Oldham Street, Manchester, M4 1LF

Flat 20, 70 Spear Street, Manchester, M1 1AW
Flat 23, 70 Spear Street, Manchester, M1 1AW
Flat 12, 70 Spear Street, Manchester, M1 1AW
Flat 21, 70 Spear Street, Manchester, M1 1AW
Second Floor, 73 - 75 Lever Street, Manchester, M1 1FZ
Basement, 73 Lever Street, Manchester, M1 1FL
Off The Square, 65 - 67 Lever Street, Manchester, M1 1FL
Unit G5, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
First Floor, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
Flat 27, 5 Warwick Street, Manchester, M1 1AU
Flat 32, 5 Warwick Street, Manchester, M1 1AU
Flat 20, 5 Warwick Street, Manchester, M1 1AU
Flat 23, 5 Warwick Street, Manchester, M1 1AU
Flat 33, 5 Warwick Street, Manchester, M1 1AU
Flat 44, 5 Warwick Street, Manchester, M1 1AU
Flat 1, 70 Spear Street, Manchester, M1 1AW
Flat 61, 5 Warwick Street, Manchester, M1 1AU
Flat 68, 5 Warwick Street, Manchester, M1 1AU
Flat 10, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 1, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 9, 84 - 86 Oldham Street, Manchester, M4 1LF
Flat 17, 70 Spear Street, Manchester, M1 1AW
Flat 16, 70 Spear Street, Manchester, M1 1AW
Flat 7, 70 Spear Street, Manchester, M1 1AW
Flat 22, 70 Spear Street, Manchester, M1 1AW
Flat 24, 70 Spear Street, Manchester, M1 1AW
First Floor, 73 - 75 Lever Street, Manchester, M1 1FL
69 - 71 Lever Street, Manchester, M1 1FL
Second Floor, 69 - 71 Lever Street, Manchester, M1 1FL
65 - 67 Lever Street, Manchester, M1 1FL
8 Bradley Street, Manchester, M1 1EH
Unit G4, The Hive, 47 - 51 Lever Street, Manchester, M1 1FN
68 - 70 Oldham Street, Manchester, M4 1LF
Flat 9, 5 Warwick Street, Manchester, M1 1AU
Flat 2, 5 Warwick Street, Manchester, M1 1AU
Flat 15, 5 Warwick Street, Manchester, M1 1AU
Flat 67, 5 Warwick Street, Manchester, M1 1AU
Flat 45, 5 Warwick Street, Manchester, M1 1AU
Flat 39, 5 Warwick Street, Manchester, M1 1AU
Flat 70, 5 Warwick Street, Manchester, M1 1AU

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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
Conservation Area - Stevenson Square (Extension) Conservation Area 1987
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL