MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	139815/LO/2024
Date registered valid:	18 April 2024
Proposal:	Listed Building Consent for the installation of illuminated letter signage to the front elevation
Address:	Saffron, 107 Cheetham Hill Road, Manchester, M8 8PY
Ward(s):	Cheetham Ward
Applicant:	M Sakaroglu
Agent (if any):	Rebecca Thompson
Case officer:	Ellie Knowles Tel: 0161 219 6633 Email: ellie.knowles@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	13 June 2024

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 8 May 2024

Standard consultations:
Printed: 29 April 2024 Expired: 21 May 2024

Neighbour notifications:
No neighbour notifications have been printed and sent.

Site notice
Posted: 8 May 2024 Expired: 30 May 2024

Press advert
Published: 7 May 2024 Expired: 21 May 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The building under consideration is the Grade II listed former Cheetham Town Hall. It was constructed in the 1850s in an Italianate style in brick with stone dressings as the Cheetham Town Hall. It presents a prominent symmetrical frontage to Cheetham Hill Road, with central section of three-bays slightly projected forward, with a central carved doorway with fanlight, and an ornate iron porte-cochere to front. The curtilage of the building is bounded to the front and side by a low stone wall with ornate metal railings. The site frontage affords the original cobblestone driveway.





The application property features authorised signage in the form of individual gold lettering to the flank elevations of the central bay.

Unauthorised signage is present in the form of individual gold lettering to the principal elevation either side of the porte-cochere above ground floor windows, vinyl window stickers at ground floor level, two projecting ribbon banners at first floor level, two free standing posts to the southern entranceway and large totem sign adjacent to the front curtilage.

An unauthorised extraction flue has been erected at the rear of the application property.

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application property sits next to and forms an important group with the Cheetham Town Hall Annexe next door at no.109 Cheetham Hill Road. It is also located in the immediate setting of the Grade II listed Knowsley Hotel, the Former Free Library and St Chad's Church and the attached Presbytery, making an important and positive contribution to these assets', which collectively have a degree of group interest which contributes to their heritage significance.

The site is predominately commercial in nature and is situated on a major ariel route into the city centre of Manchester.

Description of development

The applicant is seeking Listed Building Consent for the installation of halo-illuminated letter signage to the front elevation. The signage consists of individual gold lettering to either side of the entranceway above ground floor windows. The signs spell the restaurant name "iMAMOGLU" and "TURKISH * CUISINE".

The proposal is retrospective. The two signs are different in font design and size. The signs are affixed to the historic fabric of the building by timber frames underneath, however no details of fixings have been submitted on plan.

An advert application has been submitted to accompany the listed building application under ref: 139833/AO/2024.

Consultations & Notification Responses

The proposal was advertised within the local press and a site notice was erected at the site.

Local responses
None

Consultee responses

Urban Design & Conservation – Object to the proposal due to design and cumulative impact of existing signage on a listed building.

Relevant Planning History

At the application site –

139833/AO/2024 – Advertisement consent for the installation of illuminated letter signage. Pending consideration.

138380/LO/2023 – Listed Building Consent for the installation of 2 no. individual lettered signs with halo illumination. Approved 02.04.2024. *Implemented.*
138416/AO/2023 – Installation of 2 no. individual lettered signs with halo illumination. Approved 02.04.2024. *Implemented.*

111293/AO/2016/N1 – Advertisement Consent Application for the display of replacement internally illuminated signage upon the building and the siting of a free standing 4.8 metre high internally illuminated totem sign within the front curtilage. Approved 14.04.2016.
111297/LO/2016/N1 – Listed Building Consent Application for the display of replacement internally illuminated signage upon the building, and the siting of a free standing 4.8 metre high internally illuminated totem sign within the front curtilage, and the painting of fascias, railings, and canopy. Approved 14.04.2016.

111128/FO/2016/N1 – Installation of external cold store building, filling in of window openings, and creation of new door opening. Approved 14.04.2016.
111129/LO/2016/N1 – Listed Building Consent for internal and external alterations, including, decoration work, additional stud walls, infilling of windows, creation of new external doorway, drainage to add toilets on the ground floor, installation of new internal disabled platform lift from the ground to first floor level, and installation of an external cold store. Approved 14.04.2016.

060550/FO/NORTH1/00 – Change of use from town hall use to A3 usage including elevational alterations. Approved 22.01.2001.

060551/LO/NORTH1/00 – LISTED BUILDING CONSENT Refurbishment of ground floor for A3 usage and first floor function rooms. Approved 22.01.2001.

046772/FU/NORTH1/94 – Alterations and conversion of vacant building to form wholesale units, storage and community centre. Approved 04.05.1995.
046774/LO/NORTH1/94 – LISTED BUILDING CONSENT Alterations to building. Approved 04.05.1995.

History of negotiations

No negotiations were entered into with the agent, given that the proposal was considered unacceptable in principle, even in the event of significant revisions. This is due to the proliferation of existing signage on the application property which has now created harmful visual clutter on a Grade II Listed Building.

Local Planning Policies

Places for Everyone (2022-2039) – Places for Everyone is a long-term plan of nine Greater Manchester districts for jobs, new homes, and sustainable growth. It has been published by the GMCA on behalf of the nine districts and took effect and became part of the statutory development plan on March 21, 2024.

Manchester Core Strategy Development Plan Document (2012-2027) - The Core Strategy was adopted on the 11 July 2012 and replaces a large number of policies in Manchester's Unitary Development Plan. Parts of the policies have been superseded by the Places for Everyone Plan.

The Unitary Development Plan (UDP) for the City of Manchester (1995) - The Unitary Development Plan for the City of Manchester was adopted in 1995 and has largely been replaced with the policies contained within the Core Strategy. However, there are a number of policies that are extant.

The relevant **Places for Everyone** policies for this application are as follows:

JP-P1 – Sustainable Places
JP-P2 – Heritage

The relevant **Core Strategy** policies for this application are as follows:

DM 1 – Development Management
SP 1 – Spatial Principles (partially superseded by PfE)
C 3 – North Manchester District Centres – Cheetham Hill and Harpurhey
EN 1 – Design Principles and Strategic Character Areas
EN 3 – Heritage (partially superseded by PfE)

The relevant saved **UDP** policies for this application are:

DC14 – Shop Fronts and Related Signs
DC19 – Listed Buildings

The relevant supplementary planning guidance documents for this application are:

- Outdoor advertisements and signs: a guide for advertisers (2007)

National Planning Policy Framework

The NPPF (2023) sets out broad national policies on themes such as housing, historic environment, town centres, design, climate change and the Green Belt. Central to the broad policy direction contained within the NPPF is the notion of sustainable development; development which effectively balances economic, social and environmental factors. The Local Planning Authority consider the following sections relevant to this proposal.

- Section 12 – Achieving well-designed places
- Section 16 – Conserving and enhancing the historic environment

Para 135 - Planning decisions should ensure that developments will function well and add to the overall quality of the area, are sympathetic to local character and history, and establish or maintain a strong sense of place.
Para 195 - Heritage assets should be conserved in a manner appropriate to their significance.
Para 200 - Local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution
made by their setting. The level of detail should be sufficient to understand the potential impact of the proposal on their significance.
Para 201 - LPAs should ensure that any conflict between the heritage asset's conservation and any aspect of the proposal is avoided or minimised.
Para 203 - In determining applications, LPA's should take account of, the desirability of sustaining and enhancing the significance of heritage assets.
Para 205 - When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
Para 206 - Any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification.
Para 208 - Proposals of less than substantial harm to the significance of a designated heritage asset should be weighed against the wider public benefits of the proposal.

Principle of development:

Policies SP1 and DM1 of the Manchester Core Strategy seek to ensure that new development enhances or creates character, protects, and enhances the built environment; and that the design, scale, and appearance of the proposed development is appropriate to its context. Policies DC19 of the Unitary Development Plan for the City of Manchester relates specifically to listed buildings and sets out a number of criteria against which proposals which may affect listed buildings will be assessed. Although this latter policy is now of some age, it is consistent with the guidance in the National Planning Policy Framework which seeks a high standard of design in new developments, to sustain and enhance the significance of heritage assets, ensuring their positive contribution to local areas with character and distinctiveness.

The principle of the proposal, to install additional signage to the principal elevation of the application property is not supported, through careful consideration of the proposal's impact on the fabric, character and significance of the listed building is required.

Description of works:

The retrospective works include the installation of individual gold lettering signage to either side of the central section of three-bays slightly projected forward, positioned above ground floor windows. The signs spell the restaurant name "iMAMOGLU" and "TURKISH * CUISINE" (see

figure 1 location details). The submitted heritage statement states the maximum lettering size would be 500mm (h) x 660mm (w), see figure 2 for design details.

Photographic evidence of retrospective works is illustrated in figures 3-5, which show inconsistencies, including font, width, text size, colour, placement and style between the actual advertisement installed and those proposed on plan (figures 1 & 2).



Figure 1. Proposed signage scheme

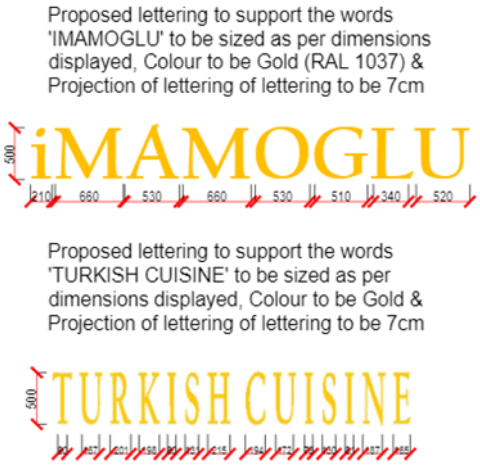


Figure 2. Proposed details of signage



Figure 3: Principal elevation of application site as recorded 10th May 2024



Figure 4: Principal elevation of application site as recorded 10th May 2024



Figure 5: Principal elevation of application site as recorded 10th May 2024

Impact on the character and fabric of the listed building:

The requirement to preserve or enhance the setting of the Listed Building is key within policy EN3 of the Core Strategy and saved policy DC19 of the UDP, along with the objectives of the NPPF. As such, any new development must seek to retain the character of the site through careful detailing and the use of replica or compatible materials. Paragraph 141 of the NPPF is clear in that the quality and character of places can suffer when advertisements are poorly sited and designed, which is considered particularly relevant to the current proposal.

The application is for new signage to the principal elevation of a Grade II listed building. Whilst the existing elevations shown in figures 3-5 show existing signage to front, this is unauthorised, not benefitting from the necessary consents.

Design

The retrospective signage to the front elevation, positioned above ground floor windows has not been installed in accordance with the proposed signage scheme (plan ref: 004). On account of the inconsistent font, width, text size, colour, placement and style (see figures 3-5). As such, the signage is not considered well-designated or high-quality, failing to preserve or enhance the setting of the Listed Building.

Fixings

No method details and/or evidence of the proposed frame fixings have been submitted for consideration; therefore, the LPA cannot fully assess whether the retrospective signage has

impacted the historic fabric of the listed building. The retrospective signage has been affixed to the listed building using timber frames. The former permission (ref: 138380/LO/2023) requested the following condition to be attached, which required "*All fixings, associated with the signage hereby approved shall only be secured within the property's mortar. No fixings shall be secured within the property's brickwork."* In the interests of the visual amenity and preserving the historical significance of the listed building.

Proliferation of existing signage

Notwithstanding the retrospective signage to the front now under consideration (as shown in figures 3-5), it should be noted that the listed building has a history of unauthorised signage currently on site, which would otherwise require consent including vinyl window stickers at ground floor level, two projecting ribbon banners at first floor level, two free standing posts to the southern driveway entrance and large free-standing totem sign adjacent to the front curtilage. Whilst this totem is similar in nature to a now elapsed permission (ref: 111297/LO/2016/N1), no recent planning history is recorded for the new totem (erected between June 2023 – May 2024 – as evidence by google Streetview and officer site photos), it is therefore not agreed that this element has become regularised as stated in the submitted Heritage DAS, paragraph 1.5.

Permission has been granted for the installation of 2 no. individual lettered signs with halo illumination to the flank elevations of the listed building, under listed building consent ref 138380/LO/2023 and advertisement consent ref 138416/AO/2023. These have been implemented on site as shown in figures 3-5.

In addition to the existing authorised lettering signage to the side elevations and other unauthorised advertisements within the site curtilage, the proposed new signage to the property frontage is now considered excessive to the building under consideration.

The additional advertisement to the principal elevation, when read cumulatively with existing signage is considered to add undue clutter to the most prominent aspect of the Grade II listed building, and detract from its original neo-classical design, appearance and architectural detailing, causing harm to its overall significance as well as the setting of the Grade II listed annexe at 109 Cheetham Hill Road. Thus, it is not in accordance with policy JP-P2 of the Places for Everyone, policy EN3 of the Core Strategy, saved UDP policy 19.1 and guidance contained within the NPPF.

The perceived harm, whilst less than significant in NPPF terms, is nonetheless material, and not outweighed by the public, rather than private, benefits of the proposal. The agent has stated that the additional signage is considered essential for the commercial operation of the premises, however no evidence of this need has been submitted as part of this proposal. In absence of substantial evidence, the LPA does not support this argument, taking the view that the existing property and restaurant business affords a proliferation of existing wayfinding signage on site and online presence (i.e. Google/Tripadvisor). As the signage is neither supported by clear & convincing justification nor outweighed by the public benefit, its fails to comply with paragraphs 206 and 208 of the NPPF.

Planning history

It is acknowledged that the application property has been previously subject to advertisement consents which have allowed lettering to the principal and flank elevations (not simultaneously), which have been raised by the planning agent. These include:

- 138380/LO/2023 and 138416/AO/2023

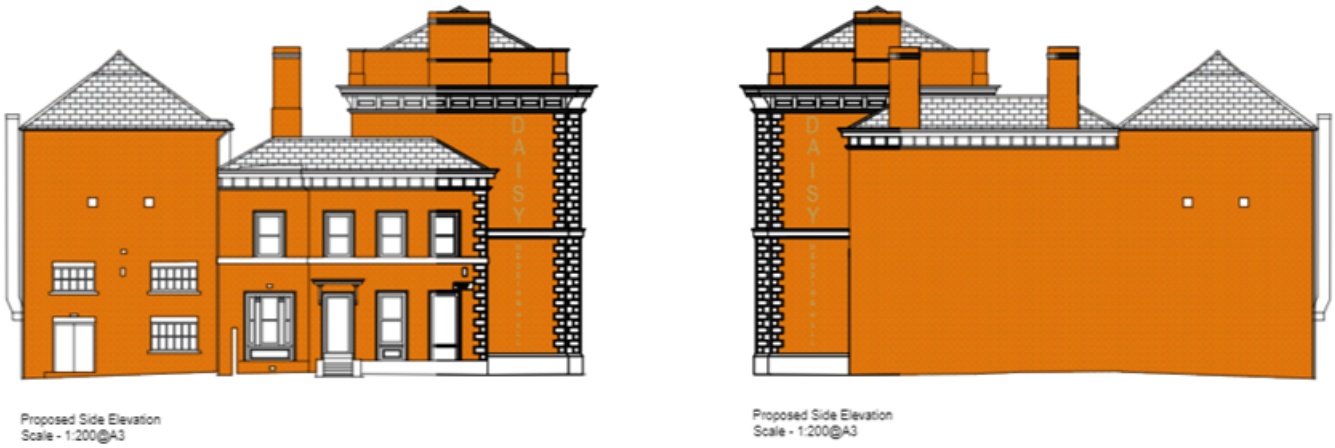


Figure 6: *Figure 6: Details of approved signage scheme allowing two symmetrical lettering signs to the flank elevations.*

- 111293/AO/2016/N1 and 111297/LO/2016/N1



Figure 7: Details of approved signage scheme allowing a totem and two symmetrical lettering signs to the front.

Figures 6 and 7 illustrate permissions which were deemed acceptable on account of their own merits. The 2023 permission proposed signage to the flank elevations only, with uniform lettering in both size and font design. Whereas the 2016 permission granted signage to the front elevation only, with uniform lettering in both size and font design. Both these schemes are considered to reflect the characterful symmetrical form of the listed building.

Notwithstanding these examples, the current proposal seeks to regularise now retrospective signage to both the front and flank elevations of the listed building, through incremental permissions. This proliferation of existing authorised and unauthorised signage upon and within the curtilage of the listed building (as shown in figures 3-5) is considered to have materially changed the context of the application site since the formerly approved 2016 and 2023 permissions. As such, the LPA take the view that signage to both the front and side elevations

of the listed building, which can be read cumulatively and simultaneously from public vantage points (Cheetham Hill Road) would therefore be unacceptable.

Conclusion:

The proposed new signage and retention of the existing unauthorised signage are not considered acceptable visual amenity and heritage grounds, failing to preserve or enhance the significance of the Grade II listed Fromer Cheetham Town Hall and the significance of the Grade II listed annexe as derived from its setting, contrary to Policies JP-P2 of the Places for Everyone, DM1 and EN3 of the Core Strategy, saved UDP policy 19.1 and Section 16 of the NPPF.

On account of its quantum, location, size and design, the signage would also fail to add positively to and work well in its local context, with a negative impact on the local amenity. This is contrary to Policies JP-P1 of the Places for Everyone, DM1 of the Core Strategy and Section 12 of the NPPF.

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: Refuse

Article 35 Declaration
Officers have worked with the agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Officers have communicated their concerns about this proposal to the agent during the course of the planning

application, but these concerns cannot be overcome, given that the principle of development in unacceptable. The proposal is considered to be contrary to the development plan and therefore refused in a timely manner.

Reasons for recommendation to refuse

1. Visual clutter
   The retrospective poorly designed and inconsistent signage to the front elevation, read in cumulation with existing signage upon and within the curtilage of the application property would lead to visual clutter, which does not preserve or enhance the Grade II designated heritage asset, causing less than substantial harm that cannot and has not been outweighed by public benefit, and is therefore considered to be contrary to Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990; Section 16 (Conserving and enhancing the Historic Environment) of the National Planning Policy Framework; the Core Strategy for the City of Manchester policy EN3 (Heritage); saved policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City Of Manchester; and, policy JP2-P2 'Heritage' of the Places for Everyone Joint Development Plan Document.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

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
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Historic Landfill Site 250m Buffer -
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: NORTH AREA