MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138978/AO/2024
Date registered valid:	7 February 2024
Proposal:	Installation of an internally illuminated projecting sign.
Address:	67 Bridge Street, Manchester, M3 3BQ
Ward(s):	Deansgate Ward
Applicant:	Miss Katie Lau Sushi Marvel
Agent (if any):	
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	**18 March 2024**

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 12 February 2024

Standard consultations:
Printed: 19 February 2024 Expired: 11 March 2024

Neighbour notifications
Printed: 19 February 2024 Expired: 11 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/Area

Listed building: Not applicable

Conservation area: Parsonage Gardens Conservation Area 1985

Tree Preservation Order: Not applicable

The application concerns the ground floor of 67 Bridge Street, which is currently operating as a restaurant. The frontage of the ground floor of this building is of a high-quality design, primarily in black. The ground floor elevation was heavily refurbished and uplifted in 2017.

Description of Development

The proposal seeks the installation of an internally illuminated projecting sign.

Consultations & Notification Responses

Highway Services - Confirmed that a projection over license would be required for the sign, that the proposed sign complies with headroom and carriageway clearance requirements, and that the luminance of the signage is considered acceptable from Highway Services' point of view.

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

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 **National Planning Policy Framework (2023)** 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

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. 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).

Principle of Development

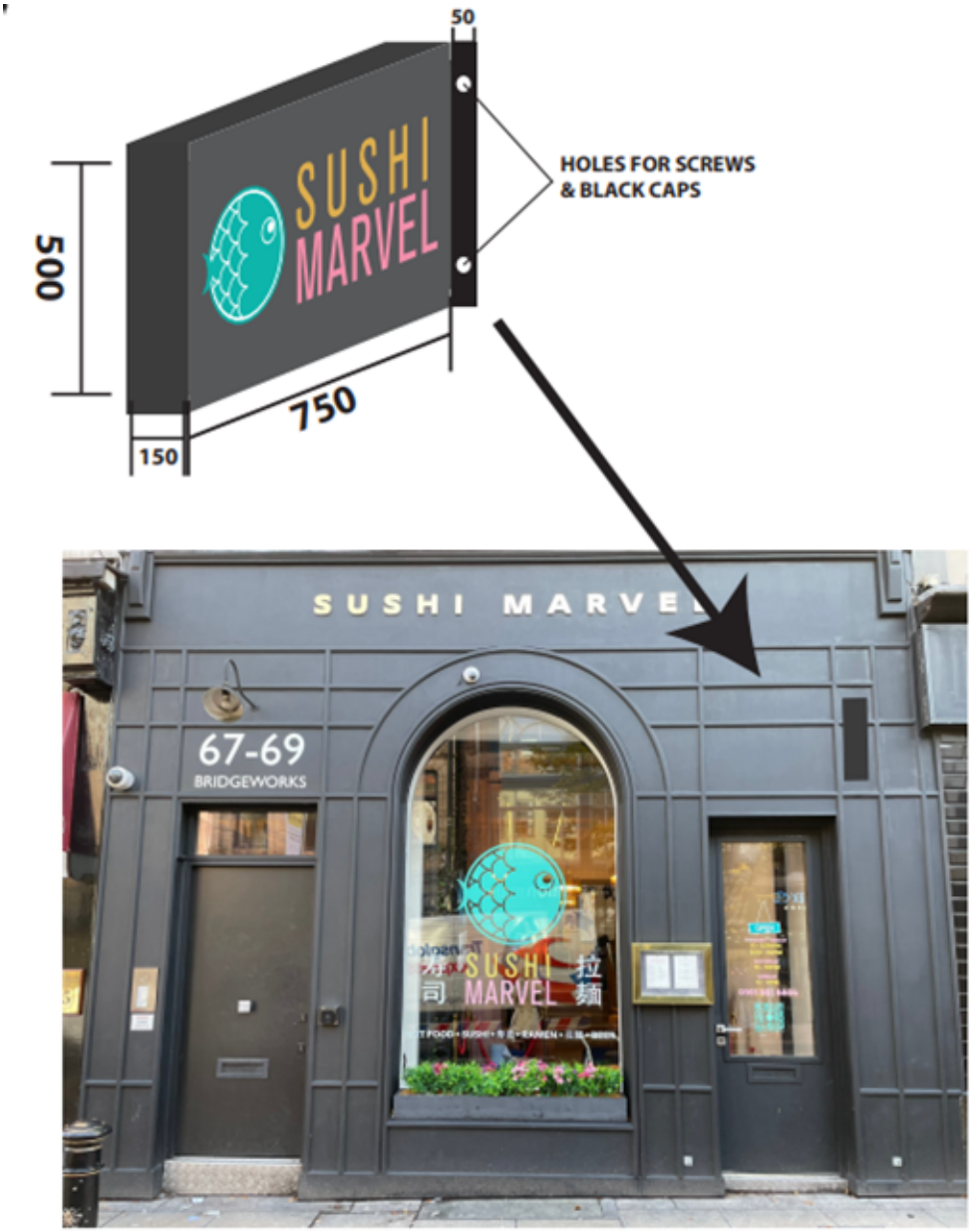
The principle of the development is considered to be acceptable in this case. Projecting signs are commonly used in the surrounding area and in other areas to advertise businesses of this nature.

Visual Amenity

At 150mm thickness, the proposed projecting sign is considered to be harmful to both the visual amenity of the host building itself and to the surrounding street scene and conservation area. Signage typically approved by the City Council is closer in size to 30mm thickness, or close to that thickness within reason.



Elevation as Existing



Proposed Projecting Sign on Elevation

The method of fixings of the sign are also considered to be harmful to the visual amenity of the host building itself and to the surrounding street scene and conservation area. The projecting sign is proposed to be bolted on at both sides directly to the building, instead of being attached to a protecting arm that is narrower than the sign itself and is in turn attached to the building.

Public Safety

The proposed signage would not have a detrimental impact on public safety. In terms of luminance, at 140cd/m2, the signage would not be a distraction to road users or pedestrians. The signage also complies with headroom and carriageway clearance requirements.

Conclusion

In view of all of the above, it is considered that the signage is not considered acceptable, due to the impact on the visual amenity of the signage on both the building itself and the surrounding area, in accordance with Sections 7 (Requiring Good Design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, policies EN3 (Heritage) and CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 (Shop

Fronts and Related Signs), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed advertisement, by virtue of its bulky design and its proposed method of fixing, would fail to respond positively to the architectural language and character of both the building itself and the surrounding area. It is considered that it would have a harmful impact on the visual amenity of both the development and local area which is contrary to the provisions of policies SP1, CC9, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy DC14 of the Unitary Development Plan for the City of Manchester (1995), the NPPF and the Town and Country Planning (Control of Advertisements) Regulations 2007.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Second Floor, 52 Bridge Street, Manchester, M3 3BW
Rear Part First Floor, 50 Bridge Street, Manchester, M3 3BW
Basement Floor, 65 Bridge Street, Manchester, M3 3BQ
First Floor, 71 - 75 Bridge Street, Manchester, M3 3RH
Basement, 50 Bridge Street, Manchester, M3 3BW
69 Bridge Street, Manchester, M3 3BQ
50A Bridge Street, Manchester, M3 3BW
Second Floor, 38 King Street West, Manchester, M3 2WZ
Third Floor, 38 King Street West, Manchester, M3 2WZ
Third Floor Newton Estates, 38 King Street West, Manchester, M3 2WZ
Basement And Ground Floor, 38 King Street West, Manchester, M3 2WZ
19 Back Bridge Street, Manchester, M3 2PB
Flat 4, 67 Bridge Street, Manchester, M3 3BQ
Flat 1, 67 Bridge Street, Manchester, M3 3BQ
First Floor, 69 Bridge Street, Manchester, M3 3BQ
52 Bridge Street, Manchester, M3 3BW
65 Bridge Street, Manchester, M3 3BQ
38 King Street West, Manchester, M3 2WZ
63 Bridge Street, Manchester, M3 3BQ
First Floor, 38 King Street West, Manchester, M3 2WZ
Ground Floor, 65 Bridge Street, Manchester, M3 3BQ
First Floor, 52 Bridge Street, Manchester, M3 3BW
Ground Floor, 52 Bridge Street, Manchester, M3 3BW
Flat 3, 67 Bridge Street, Manchester, M3 3BQ
Flat 2, 67 Bridge Street, Manchester, M3 3BQ
Ground Floor Front, 50 Bridge Street, Manchester, M3 3BW
Ground Floor Rear, 50 Bridge Street, Manchester, M3 3BW
Front Part First Floor, 50 Bridge Street, Manchester, M3 3BW
Second Floor, 50 Bridge Street, Manchester, M3 3BW
Third Floor, 50 Bridge Street, Manchester, M3 3BW
6 - 7 Butter Lane, Manchester, M3 2PD
First Floor, 65 Bridge Street, Manchester, M3 3BQ
Ground Floor, 71 - 75 Bridge Street, Manchester, M3 2RH
Basement And Ground Floor, 61 Bridge Street, Manchester, M3 3BQ
Second Floor, 65 Bridge Street, Manchester, M3 3BQ
Basement And Ground Floor, 69 Bridge Street, Manchester, M3 3BQ
Ground Floor And First Floor, 61 Bridge Street, Manchester, M3 3BQ
Betfred, Ground Floor, 38 King Street West, Manchester, M3 2WZ
50 Bridge Street, Manchester, M3 3BW
17 Back Bridge Street, Manchester, M3 2PB
61 Bridge Street, Manchester, M3 3BQ
71 - 75 Bridge Street, Manchester, M3 2RH
Third Floor, 69 Bridge Street, Manchester, M3 3BQ
Second Floor, 69 Bridge Street, Manchester, M3 3BQ

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 - Parsonage Gardens Conservation Area 1985
Area Team Boundary - Name: CENTRAL