

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137501/AO/2023

Date registered valid: 7 September 2023

Proposal: Retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign

Address: 7-9 Piccadilly, Manchester, M1 1LZ

Ward(s): Piccadilly Ward

Applicant: Mr Mike Lee Zambrero

Agent (if any): Mr Joshua Phillips Ampersand Associates Ltd.

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 27/10/2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 8 September 2023

Expired: 29 September 2023

Neighbour notifications

Printed: 8 September 2023

Expired: 29 September 2023

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

The site relates to a ground floor commercial unit in the building at 7-9 Piccadilly. The building comprises commercial units on the ground floor, currently the applicant's business Zambrero and a Superdrug store, with storage areas to the upper floors. The building is characterised large areas of fenestration, with slimline frames and large glazed panels, set into light coloured stone cladding panels. This results in clean, rectilinear shapes and a restrained colour palette and materiality creating an impression of visual simplicity.

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order:

Description of area

The area relates to Piccadilly Gardens, one of Manchester's central and most well-known areas of public realm. The character of the area comprises several different uses, including dining, drinking, retail, hotel and office.

Description of development

The development relates to the retention of 1no. fascia sign, comprising two rows of acrylic letters mounted externally to the glass, and 1no, externally illuminated hanging, bracketed sign.

Consultations & Notification Responses

Publicity - letters were sent to surrounding occupiers informing them of the development. No representations have been received as a result of this publicity.

Highways Services - no objections, illuminance levels acceptable, projection over licence required for projecting sign.

Environmental Health - no objections, light overspill/glare conditions requested although information submitted sufficient in to discharge

Relevant legislation and 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 main policies that relate to this application are DM1 (Development Management), SP1 (Spatial Principles) CC9 (Design and Heritage) and EN3 (Heritage) of the Manchester Core Strategy (2012), saved policies DC14 (Shopfronts and Related Signs), DC15 (Advertisements, Hoardings and Posters) and DC18 (Conservation Areas) of the Unitary Development Plan for Manchester (1995) and Section 12 (Achieving well-designed places) and Section 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

Planning History

074946/AO/2005/C1 – approved retention of fascia signage placed behind the glass.

090053/AO/2009/C2 – approved a scheme which included fascia signage placed behind the glass together with a projecting sign of a significantly simpler and more slimline design

097482/AO/2011/C2 – approved a scheme which included fascia signage placed behind the glass together with a projecting sign of a significantly simpler and more slimline design

109788/AOH/2015/C2 – a proposed externally mounted advertising board to the first floor of the building was refused, with the decision upheld on appeal.

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

Fascia sign

The fascia sign, by virtue of its siting and materiality is detrimental to the architectural character of the building on which it sits. The shopfronts of the ground floor units at 7-9 Piccadilly are characterised by large, glazed panels set in slimline metal frames.

Signage on the Superdrug unit next door is placed behind the glass, mounted on rails and hanging from the ceiling. The City Council's position on signage at this location has consistently supported signage behind the glass (c/f 074946/AO/2005/C1; 090053/AO/2009/C2; 097482/AO/2011/C2) in the interest of maintaining the consistent glazed appearance.

By placing the lettering externally, mounted to the glass, this undermines the smooth visual flow created by the large, glazed panels. This is exacerbated by the internally applied vinyl, which creates an opaque backdrop to the lettering, which is fabricated from thick acrylic, thereby highlighting the undulation created by the lettering through a heightened sense of light and shadow.

The visual disruption of the fascia therefore weakens the overall design intent of the building in a manner that is detrimental to visual amenity.

Projecting sign

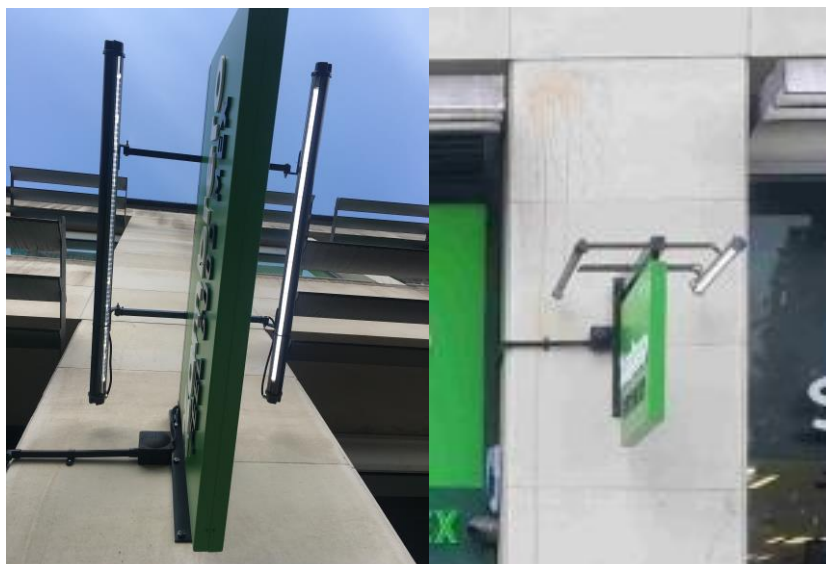
The projecting sign and its associated cabling, by virtue of its design, siting, colour and massing, creates a bulky, over-elaborate and unsightly element on the building's elevation.

Previously, the City Council has supported slimline, rectilinear, non-illuminated, blade-style projecting signs on this unit (c/f 090053/AO/2009/C2; 097482/AO/2011/C2) which reflect the simple forms of the elevation itself.

The sign itself is overly thick, with a depth of 60mm that is double that 30mm the City Council ordinarily supports in the city centre. The signage is not internally illuminated and hence there are no internal elements that would necessitate such a bulky panel.

The sign is illuminated by way of two lighting bars. These are attached to the bracket from which the hangs by two long projecting arms. This ensures the signage, taken as an entire structure, is appears very wide.

The lighting is powered by a thick black cable which has been run through the fascia and along the stone pilaster to a bulky junction box that abuts the bracket's fixing plate. The black cabling stands out starkly against the light beige/cream colour of



the stone that clads the building, creating an unsightly and incongruous element on the elevation.

Taken together, the projecting sign, bracket, lighting and cabling create a highly visually prominent and inelegant addition to the elevation that is at odds with the otherwise simple, clean facade of the building on which they are mounted in a manner that undermines the building's architectural quality, thereby harming visual amenity.

Public Safety

There are no concerns regarding public safety relating to this application. The stated illuminance level is 300cd/m², which is below the 600cd/m² maximum supported by the City Council. The shopfront faces on to a pedestrianised section of public realm and so would not give rise to driver distraction. Highways assessed the application and raised no concerns.

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 policies 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 1no. internally illuminated fascia sign by virtue of its position in front of the glass, resulting appearance and materiality, creates an incongruous feature to the glass shopfront of the unit. The sign relates poorly to the style, character and quality of this shop frontage and undermines the original design intent of the building. This has had an unduly harmful impact on the visual amenity of the building in the street scene. The sign is therefore contrary to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007,

policies SP1, EN1, EN3, CC9 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC15 and DC18 of the Unitary Development Plan for the City of Manchester (1995).

2) The 1no. externally illuminated projecting sign, by virtue of its siting, design, materiality, colour and size, creates an obtrusive and visually clumsy feature on the building. The design of the bracket creates a large, complex structure that fails to relate appropriately simple architectural language of the elevation. The cabling and external lighting, by virtue of the contrast in colour with the stone cladding, is highly visually prominent and adds a bulky, low quality element to the lightweight facade. The sign has resulted in an unduly harmful impact on the visual amenity of the building. The sign is therefore contrary to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, policies SP1, EN1, EN3, CC9 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC15 and DC18 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Basement 21, Tib Street, Manchester, M4 1SH
7 - 11 Oldham Street, Manchester, M1 1LG
130 - 132 Market Street, Manchester, M60 1AY
Superdrug, 7 Piccadilly, Manchester, M1 1LZ
11 - 13 Piccadilly, Manchester, M1 1LY
Flat 18, 15 Piccadilly, Manchester, M1 1LT
Flat 17, 15 Piccadilly, Manchester, M1 1LT
Flat 16, 15 Piccadilly, Manchester, M1 1LT
Flat 15, 15 Piccadilly, Manchester, M1 1LT
Flat 14, 15 Piccadilly, Manchester, M1 1LT
Flat 13, 15 Piccadilly, Manchester, M1 1LT
Flat 12, 15 Piccadilly, Manchester, M1 1LT
Flat 11, 15 Piccadilly, Manchester, M1 1LT
Flat 10, 15 Piccadilly, Manchester, M1 1LT
Flat 9, 15 Piccadilly, Manchester, M1 1LT
Flat 8, 15 Piccadilly, Manchester, M1 1LT
Flat 7, 15 Piccadilly, Manchester, M1 1LT
Flat 6, 15 Piccadilly, Manchester, M1 1LT
Flat 5, 15 Piccadilly, Manchester, M1 1LT
Flat 4, 15 Piccadilly, Manchester, M1 1LT
Flat 2, 15 Piccadilly, Manchester, M1 1LT
Flat 1, 15 Piccadilly, Manchester, M1 1LT
Flat 3, 15 Piccadilly, Manchester, M1 1LT
Sachas Hotel, Tib Street, Manchester, M4 1SH
Unit 1, 11 - 13 Piccadilly, Manchester, M1 1LY
Ground Floor And First Floor, 8A Tib Street, Manchester, M4 1PQ
First Floor, 17 Piccadilly, Manchester, M1 1LS
11 Piccadilly, Manchester, M1 2HY
8A Tib Street, Manchester, M4 1PQ
Unit 3, 11 - 13 Piccadilly, Manchester, M1 1LY
Unit 2, 11 - 13 Piccadilly, Manchester, M1 1LY
128 Market Street, Manchester, M1 1WA
1 - 3 Piccadilly, Manchester, M1 1LZ
17 Piccadilly, Manchester, M1 1LS
Halifax, 5 Piccadilly, Manchester, M1 1LZ
Mezzanine Floor, 11 Piccadilly, Manchester, M1 2HY

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
Conservation Area - Smithfield Conservation Area 1987
Area Team Boundary - Name: CENTRAL