Planning

Growth & Development

Delegated officer report for planning application

Application no.	138168/AO/2023
Date registered valid:	22 September 2023
Proposal:	Installation of 1 no. internally illuminated individual letter signage and 1 no. internally illuminated projecting sign.
Address:	Black Sheep Coffee , Unit 13 Arndale Centre, 23 Market Street , Manchester , M1 1WR
Ward(s):	Piccadilly Ward
Applicant:	Black Sheep Coffee
Agent (if any):	Mrs Natalie Edwards Technical Signs
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**1st November 2023**

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 29 September 2023

Standard consultations:
Printed: 28 September 2023 Expired: 19 October 2023

Neighbour notifications
Printed: 28 September 2023 Expired: 19 October 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 Area

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of Site

The application site relates to a commercial unit, 23 Market Street, located on the exterior of the Arndale shopping centre, which is a large development that includes several shops and other commercial uses. The unit itself sits on the under croft section of the Arndale that sits directly below the area where the Food Court is situated.

The premises were previously used as a travel agent. Surrounding uses include restaurants, cafes, retail premises within the Arndale Centre.

Description of Development

The submitted application seeks advertisement consent for the installation of 1 no. internally illuminated individual letter signage and 1 no. internally illuminated projecting sign.

Consultations & Notification Responses

Highway Services - Are satisfied that signage complies with carriageway and headroom clearance requirements. Suggested that condition be added on luminance.

Environmental Health - Recommended that a condition on luminance be added.

Publicity - Neighbour notification letters were sent to surrounding properties. At the time of writing this report, no representations have been received due to 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.

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.

National Policy

Decisions should accord with the requirements of the NPPF 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

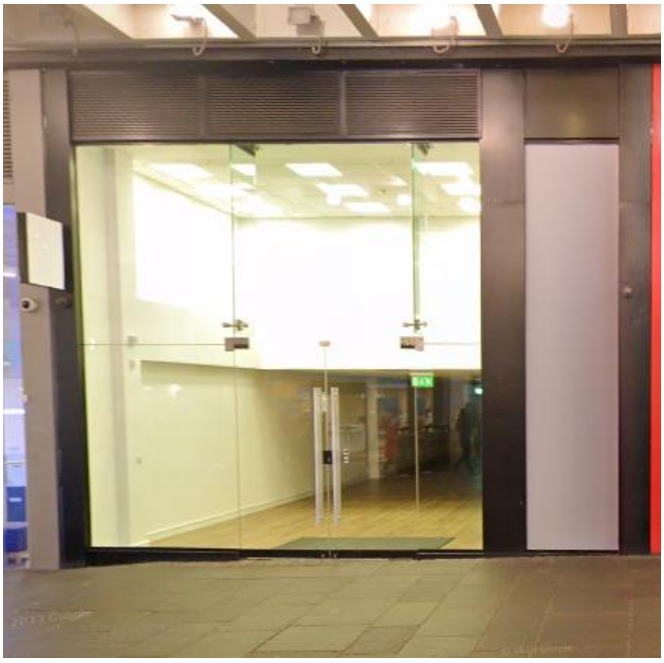
Principle

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon Visual Amenity as well as 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).

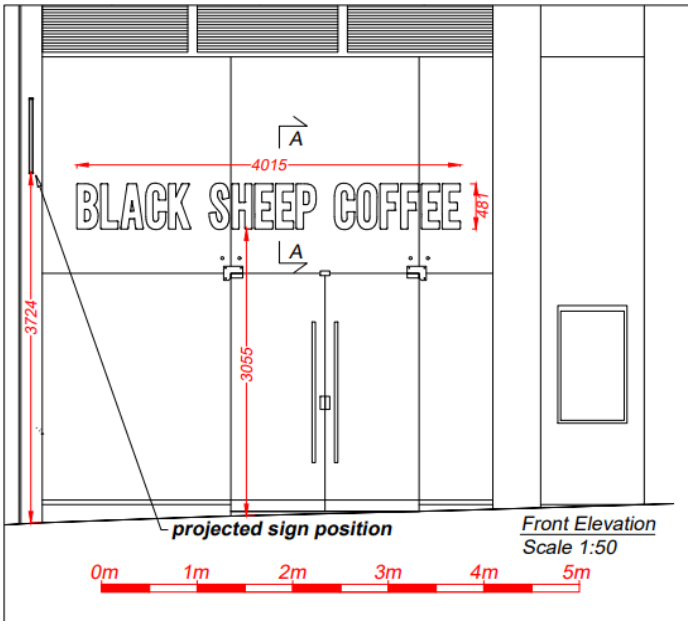
Visual Amenity

The proposed signage is not considered to have a negative impact on the visual amenity of either the host building or the surrounding street scene. The projecting sign is not considered to be too bulky in scale. In addition, the design of both the individual letter and projecting signage is considered to be sophisticated, and is considered to be both appropriate and in keeping with similar high quality signage in the surrounding area.

Whilst it would be ideal to have the projecting sign in line with the individual letter signage to keep a line of visual consistency across the entirety of the shopfront, as well as with the signage on the neighbouring units on this elevation, in this circumstance, lowering the projecting sign would lead to the view CCTV camera on the unit directly next door being obscured by the projecting sign.



Existing Shopfront



Proposed Shopfront

The individual letter signage will ensure that the open glass frontage appearance of the commercial unit remains intact. The open glass frontage is considered to make a positive contribution to the visual amenity of the surrounding street.

Public Safety

The proposed signage would not have any impact on public safety. All proposed signage meets headroom requirements, and the luminance would not be bright enough to cause any distraction to any neighbouring properties or passing road users.

Conclusion

Given the above, the proposal is considered to be consistent with National Planning Policy Framework, in particular Section 7 (Requiring Good Design) and the Core Strategy for the City of Manchester, in particular policies DM1 (Development Management), and the Saved Policy contained within the Unitary Development Plan for Manchester in particular policies DC14 (Shop fronts and Related Signs).

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 OR Reasons for recommendation to refuse

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 the City Council as Local Planning Authority on 22 September 2023:

Location Plan
Site Plan

Received by the City Council as Local Planning Authority on 27 October 2023:

Proposed Signage Details 596806-2 REV B

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) The maximum luminance shall not exceed 400cd/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 sign extends to a maximum projection of 900mm over the adopted footway. As such, a Projection over License will be required. The applicant should apply for a projection over license by contacting Environment on Call on 0161 234 5004 or via the following link:
https://www.manchester.gov.uk/directory_record/287425/projecting_over_the_highway

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Kiosk 19A, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 19, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Units R10 To R19, Arndale Centre, Market Street, Manchester, M4 3AT
City Health Centre, Second Floor, 32 Market Street, Manchester, M1 1PL
Unit R36, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R35, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R34, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R33, Arndale Centre, Market Street, Manchester, M4 3AT
Units R31 And R32, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R30, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R29, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R28, Arndale Centre, Market Street, Manchester, M4 3AT
Units R26 And R27, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R25, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R24, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R23, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R22, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R21, Arndale Centre, Market Street, Manchester, M4 3AT
Unit R20, Arndale Centre, Market Street, Manchester, M4 3AT
Ocean Dental Manchester, Second Floor, Boots, 32 Market Street, Manchester, M1 1PL
Stall Opposite Unit R23, Arndale Centre, Market Street, Manchester, M4 3AT
Stall Opposite Unit R21, Arndale Centre, Market Street, Manchester, M4 3AT
NatWest, 19 Market Street, Manchester, M1 1WR
Hutchinson 3G, 27B Market Street, Manchester, M1 1WR
29A Market Street, Manchester, M1 1WR
29B Market Street, Manchester, M1 1WR
Kiosk 12, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 11, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 10, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 9, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 8, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
27 Market Street, Manchester, M1 1WR
Kiosk 6, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Taco Bell, Kiosk 5, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 4, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 3, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
McDonald's, Kiosk 2, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 1, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
Kiosk 7, Arndale Centre Food Chain, Market Street, Manchester, M2 1NP
19A Market Street, Manchester, M1 1WR
31 Market Street, Manchester, M1 1WR
Ark Clothing, Corporation Street, Manchester, M4 3AG
25 Market Street, Manchester, M1 1WR
21 Market Street, Manchester, M1 1WR
Boots, 32 Market Street, Manchester, M1 1PL
Unit R9, Arndale Centre, Market Street, Manchester, M4 3AT

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
Area Team Boundary - Name: CENTRAL