

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138012/AO/2023

Date registered valid: 28 September 2023

Proposal: Installation of 1no Fascia Sign, 1no hanging sign and 1no window vinyl.

Address: Townhouse, 34 King Street, Manchester, M2 4LY

Ward(s): Deansgate Ward

Applicant: Candice Brooks Townhouse

Agent (if any): Mr Joe James Sea Design Group

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approved

Date of recommendation: 31/10/2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 3 October 2023 Expired: 24 October 2023

Neighbour notifications

Printed: 3 October 2023 Expired: 24 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 site/building

The application relates to the four storey mid-terrace property at no34 King Street. The application property is a 19th century building, with it's upper floors being completed in red brick with white timber windows. It's ground floor along King Street features a contemporary aluminium shopfront, with it's rear elevation also featuring a separate contemporary shopfront, both approved under permissions 118192/FO/2017, 122453/JO/2019 and 126547/JO/2020. The property also features a secondary entrance, with fan light, situated on South King Street.

Listed building: Not applicable

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order: Not applicable

Description of area

The neighbouring area forms part of the southern half of the St Anns Conservation Area. King Street itself is a prominent road within the Conservation Area, lined by a high number of commercial Victorian properties in varying café, restaurant and non-food retail uses (Class E). A high number of Grade II listed buildings neighbour the application site along King Street to the north, east and west. South King Street to the rear of the application site, is characterised by the back of house accesses to the properties that line King Street, with extraction equipment and bin storage points being present throughout.

Description of development

The application seeks advertisement consent for the installation of 1no fascia sign, 1no hanging sign and 1no vinyl sign.

The proposed fascia sign would be situated on the application site's front elevation along King Street. The sign would consist of a timber fascia board with a width of 7.28m, a height of 1.5m and featuring a 25mm thick scotia mould surround. Halo illuminated letters would then feature in the centre of said fascia, with the illuminated letters having a combined width of 3.41m, a height of 0.305m and a depth of 60mm. The individual letters would be completed in acrylic, with the illuminated aspect having a luminance level of 300cd/m².

The proposed hanging sign would also be situated on the front elevation, being displayed 3.149m above the ground on the western side of the property. The hanging sign would be circular in shape with a height and width of 0.6m, being completed in timber. When including the bracket that it would be attached to the projecting sign would have a maximum projection of 0.812m. The sign would then have a maximum width of 30mm and would be illuminated via trough lighting with a luminance level of 300cd/m².

The proposed vinyl would be located on the property's South King Street elevation below the property's fan light. The vinyl would be coloured white and display the following wording "TOWNHOUSE Academy Entrance". The wording would be set over two rows with a combined height of 250mm, and a maximum width of 0.562m.

Planning History

126547/JO/2020 - Variation of condition application to vary condition 2 (specified plans) attached to previously approved planning application 122453/JO/2019 – Approved March 2021.

122453/JO/2019 - Variation of condition application to vary condition 2 (specified plans) attached to previously approved planning application 118192/FO/2017 to allow for amendments to approved elevational treatment and roof works – Approved March 2019.

118192/FO/2017 - External alterations to building to include installation of new shopfront/door/glazing/windows on both King Street and South King Street elevations and installation of rooflights – Approved March 2018.

058873/AO/CITY1/00 - Illuminated fascia name sign and projecting sign – Approved May 2000.

058871/FO/CITY1/00 - Installation of a new shop front – Approved May 2000.

Consultations & Notification Responses

Environmental Health – No objection subject to a condition that lighting be designed to as to control it's glare and overspill, and that no illuminated signage exceed a brightness greater than 300cd/m².

Highway Services – No objection subject to an informative relating to projecting licenses.

Publicity – None received.

Policy

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 Manchester Core Strategy – Development Plan Document 2012 – 2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester – For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC15 – Advertisements, Hoardings and Posters
- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings

Other Material Considerations

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and Enhancing the Historic Environment

National Planning Practice Guidance (NPPG)

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester’s development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8 week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance. Relevant policies to the proposal are show below:

- Policy JP-P2 – Heritage

Issues

Visual Amenity

The proposed fascia and projecting signs would be erected on a prominent street within a Conservation Area that is home to multiple Grade II listed buildings. Existing advertisements within the local street scene comprise of heritage style hanging signs with trough lighting, and trough lit fascia lighting being present throughout. The proposed fascia sign would consist of a timber fascia, with halo illuminated acrylic lettering. Timber is considered to be an appropriate material reflective of the significance of the Conservation Area, and halo illuminated signage is present to the west of the site along King Street at no20-22. On this basis the proposed fascia signage is considered to be acceptable with regard to it's impact on visual amenity. The proposed hanging sign is also considered would be reflective of the historical significance of the neighbouring area and is thus also considered to be an appropriate design choice in this context and is thus also acceptable.

The proposed vinyl sign located on the property's rear entrance on South King Street is acknowledged as being a minor addition to the property, with both lines of the vinyl sign having a combined maximum height of 0.25m and a maximum length of 0.562m. Ordinarily external vinyl signs are not supported within areas of historical significance due to the affect they have that often cheapens the appearance of a property and how it may erode it's active ground floor frontage. Notwithstanding this however, South King Street, as previously mentioned within this report, is primarily back of house in nature and is not a major thoroughfare with active ground floor frontages. Taking this into account, as well as how the purpose of the sign would be for identification, rather than advertising, and how it would not be situated on a glazed element of the property, it is considered to be acceptable in this instance. Taking the above into account it is considered that the proposed development would have an acceptable impact on visual amenity in accordance with Core Strategy Policies CC9, EN1, EN3 and DM1, Save Unitary Development Plan Policies DC15, DC18 and DC19, Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and National Planning Practice Guidance.

Highway Safety

The proposed advertisements, with the exception of the proposed vinyl, would front out onto a pedestrianised road. King Street is home to a high number of properties with illuminated signage. Highways do not object to the proposal, noting that the proposed illuminance levels are acceptable and that the proposed projecting sign will require a projecting license. Subject to an

informative that would notify the applicant of the requirement of such a license, it is considered the proposal is acceptable with regard to its impact on highway and public safety, and is therefore in accordance with Core Strategy Policies SP1 and DM1, Saved Unitary Development Plan Policy DC15, the National Planning Policy Framework and National Planning Practice Guidance.

Conclusion

In light of the above, the proposal is considered to be acceptable in respect of both design and highway safety and is thus in accordance with Manchester Core Strategy Policies SP1, CC9, EN1, EN3 and DM1, Unitary Development Plan Policies DC15, DC18 and DC19, Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework and National Planning Practice Guidance. The application is therefore recommended for approval.

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: 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:

- o 223172/02.0: Site & Location Plan (Received 06/09/2023)
- o 223172/5.0 Rev E: Proposed External Elevations 1 of 2 (Received 18/10/2023)
- o 223172/5.1 Rev D: Proposed External Elevations 2 of 2 (Received 31/10/2023)

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 of the illuminated signage hereby approved shall not exceed 300 cd/m in brightness at any time, and be designed so as to control glare and overspill onto nearby properties.

Reason - In the interests of visual and residential amenity pursuant to policies SP1 and DM1 of the Manchester Core Strategy and saved policies DC14.1, and E3.3 of the Unitary Development Plan for the City of Manchester.

Informatives

1) The proposed projecting sign will overhang the footway by 900mm. The applicant should apply for a projection over the highway permit by contacting Environment on Call on 0161 234 5004 or via the following link:
https://www.manchester.gov.uk/directory_record/451898/projecting_over_the_highway

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Advertising Right JC Decaux Adjacent To 42, King Street, Manchester, M2 6BA
23 King Street, Manchester, M2 6AN
First Floor Right Suite B, 23 King Street, Manchester, M2 6AN
Second Floor, 23 King Street, Manchester, M2 6AN
Third Floor, 23 King Street, Manchester, M2 6AN
First Floor Suite A, 23 King Street, Manchester, M2 6AN
Flat 3, 33 South King Street, Manchester, M2 6DE
Flat 2, 33 South King Street, Manchester, M2 6DE
Flat 1, 33 South King Street, Manchester, M2 6DE
Third Floor, 40 - 44 King Street, Manchester, M2 6BA
Second Floor, 40 - 44 King Street, Manchester, M2 6BA
Suite 3C Part Third Floor, 40 - 44 King Street, Manchester, M2 6BA
Suite 3B Part Third Floor, 40 - 44 King Street, Manchester, M2 6BA
Suite 1B Part First Floor, 40 - 44 King Street, Manchester, M2 6BA
42 King Street West, Manchester, M3 2WY
Neals Yard Remedies, 27 King Street, Manchester, M2 6AF
29 John Dalton Street, Manchester, M2 6FW
THE WHITE COMPANY, 21 King Street, Manchester, M2 6AF
First Floor, 30 King Street, Manchester, M2 6AZ
Basement And Ground Floor, 30 King Street, Manchester, M2 6AZ
First Floor, 36 King Street, Manchester, M2 6AZ
Basement And Ground Floor, 34 - 36 King Street, Manchester, M2 6BA
40 - 44 King Street, Manchester, M2 6BA
Second Floor, 36 King Street, Manchester, M2 6BA
44 King Street, Manchester, M2 6BA
28 - 30 King Street, Manchester, M2 6AY
36 King Street, Manchester, M2 6BA
Suite 1A Part First Floor, 40 - 44 King Street, Manchester, M2 6BA
Third Floor, 28 - 30 King Street, Manchester, M2 6AY
Third Floor, 36 King Street, Manchester, M2 6BA
30 King Street, Manchester, M2 6AZ
38 - 42 King Street, Manchester, M2 6BA
Second Floor, 30 King Street, Manchester, M2 6AZ
First Floor Front, 30 King Street, Manchester, M2 6AZ
Phase Eight, 25 King Street, Manchester, M2 6AF

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 - St Anns Square Conservation Area 1970
Area Team Boundary - Name: CENTRAL