

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138328/AO/2023

Date registered valid: 16 October 2023

Proposal: Installation of 1no internally illuminated fascia sign and 3no internally illuminated projecting signs

Address: 68 - 70 Market Street, Manchester, M1 1PW

Ward(s): Deansgate Ward

Applicant: H&M Hennes & Mauritz UK Ltd

Agent (if any): Mr Christian Fisk Pegasus Group

Case officer: Michael Pearson
Tel: 0161 219 2735
[Email: michael.pearson@manchester.gov.uk](mailto:michael.pearson@manchester.gov.uk)

Recommendation: Approve and Refuse

Date of recommendation: 11/12/2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 24 October 2023 Expired: 14 November 2023

Neighbour notifications

Printed: 24 October 2023 Expired: 14 November 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 ground floor of no68-70 Market Street, a four storey property with a single commercial unit present at it's ground floor. The application property was created under planning permission 057156/FO/CITY1/99 which saw the retention and amalgamation of 3no existing properties that front onto Market Street and the erection of a new build development that would be located to the rear and west of said buildings. As such the application site now spans the ground floors of 4no distinct buildings, the most ornate of which is that which the ground floor entrance of the aforementioned commercial unit is situated within. Said building's upper floors are completed in sandstone with decorative columns above. The application site features a modern shopfront completed in sandstone, with exposed support beams that also feature on the property's side elevation along Brown Street. Unauthorised projecting signs, hanging sign and fascia are present on site.

Listed building: Not applicable

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The application site is situated on Market Street, one of Manchester's principle commercial roads that lies at the heart of Manchester City Centre, as well as its primary shopping area. The section of Market Street that the application site lies on is segmented by Cross Street and High Street. Along it's northern half and western end lies the Manchester Arndale that visually dominates said areas of Market Street. The application site and southern side of Market Street lie within the Upper King Street (Extension) Conservation Area and consequently this area of Market Street is home to multiple buildings of architectural and historical merit, this includes no58-66, no68-70, no74-76

and no78. A high number of advertisements are present along Market Street with them consisting of a variety of projecting, hanging and fascia signs.

Description of development

The application seeks consent for the installation of 1no internally illuminated individual letter sign and 3no internally illuminated projecting signs.

The proposed projecting signs would be sited in the same location as that of the existing unauthorised projecting signs on site, this being on 2no places on the property's front elevation and 1no along its side elevation on Brown Street. The signs would then be finished in white powder coated aluminium with a red illuminated logo on both sides. The projecting signs would have a height and projection of 500mm (The signs projection would be 600mm when including the proposed bracket) and a width of 70mm. The signs would then have an internal illumination of 300cd/m².

The proposed individual letter sign would be situated on the property's lead flashing/steel support beam above its main entrance on market Street. The sign would be completed in red acrylic and be lit internally by LEDs at 300cd/m². The sign would have a height of 600mm, a width of 910mm and a depth of 95mm.

Planning History

A high number of applications are on record for the application site, the most relevant of which are shown below:

138331/FO/2023 - Installation of fascia panel – Application pending consideration.

136632/AO/2023 - New internally illuminated fascia sign and 3no projecting signs – Withdrawn July 2023.

109535/AO/2015/C1 - The installation of three individual lettered signs and two projecting signs – Approved November 2015.

109534/FO/2015/C1 - The installation of a new shop front – Approved November 2015.

097770/AO/2011/C1 - Installation of new shop signs including individual letter fascia sign and 2 projecting signs – Approved March 2012.

097769/FO/2011/C1 - Elevational alterations to shopfront including renewal of 2 stone columns either side of entrance. Installation of new spandrel glazing and new fascia and works to entrance – Application March 2012.

083156/FO/2007/C1 - Elevational alterations to existing shop front – Approved August 2007.

057156/FO/CITY1/99 - New build retail and leisure development, including A1 (shops), A2 (financial and professional services), A3 (food and drink) and D2 (leisure) – Application approved December 1999.

Consultations & Notification Responses

Environmental Health – No objection subject to conditions relating to the control of glare and light of overspill, and that the illuminated signage have a luminance level no greater than 300cd/m2.

Highways – 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 DC14 – Shopfronts and Related Signs
- Policy DC18 – Conservation Areas

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.

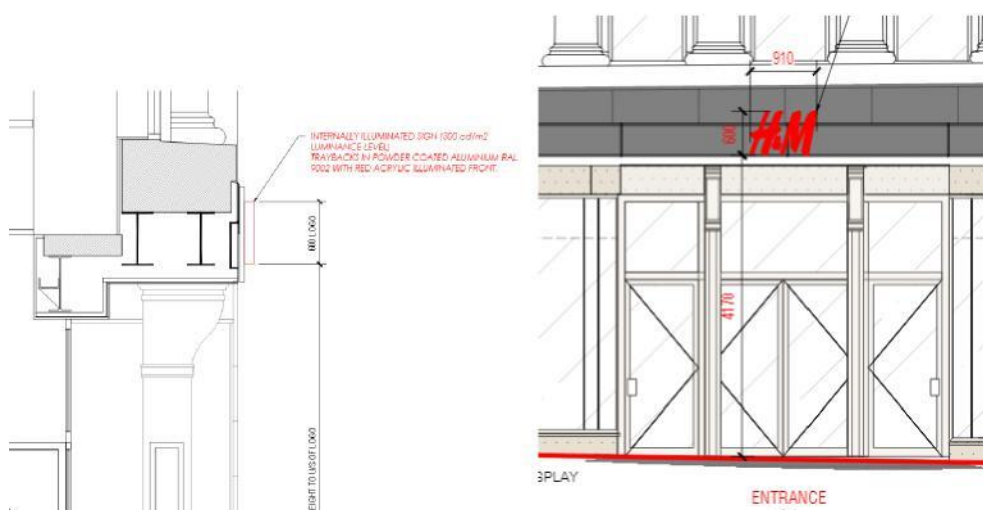
Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.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

- Policy JP-P2 – Heritage

Issues

Visual Amenity

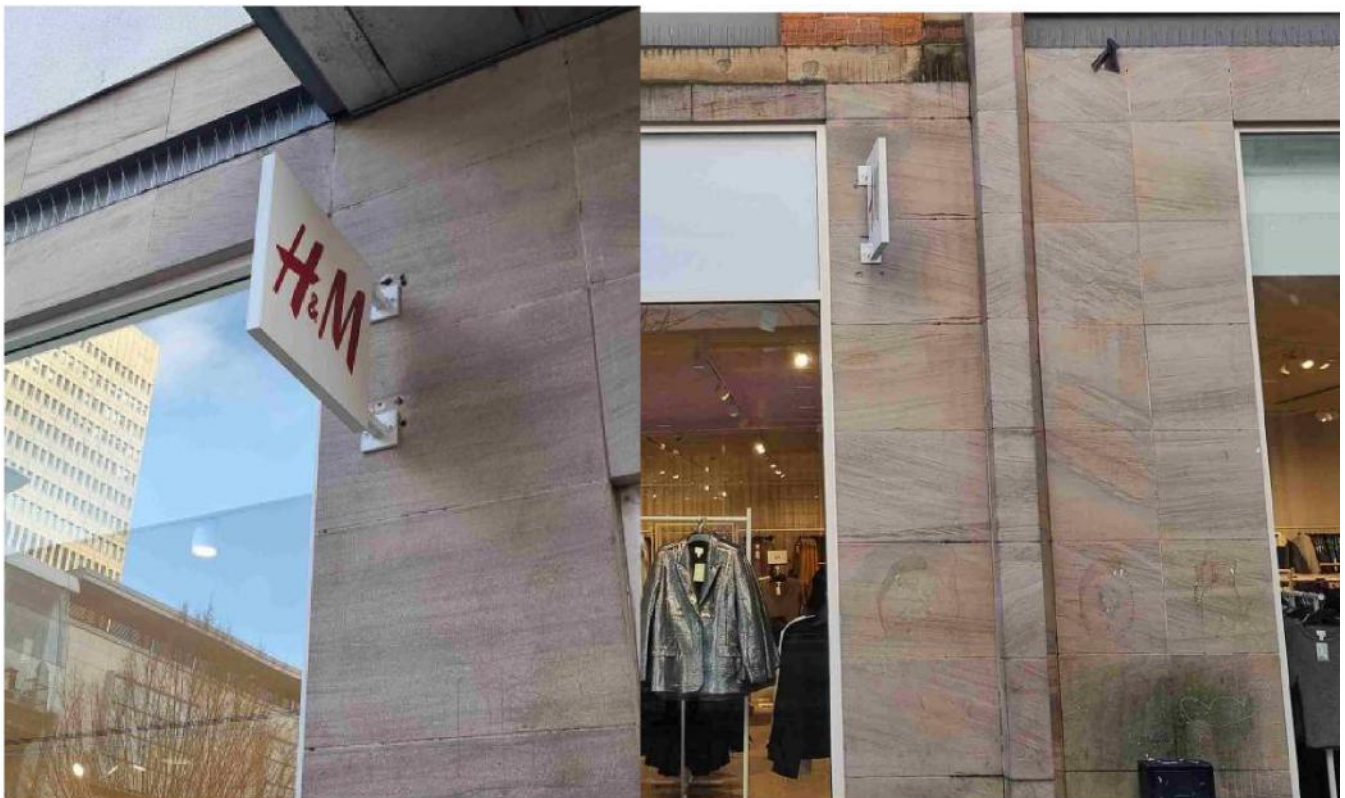
The application would see the installation of a single individual letter sign and 3no projecting signs. The proposed individual letter sign would be situated on the property's lead flashing and steel beam. It is noted that on the submitted plans, the proposed section of the property's entrance illustrates the proposed individual letter sign would be mounted to a fascia that would sit proud of the property's shopfront, however, the proposed elevations and the annotations included on the proposed section plan note that it would be secured directly to the property's metal support beam and lead flashing. As such, in the event of an approval the section of the property's entrance will not be included within the list of approved plans.



Proposed section noting that the individual letter sign would sit on a fascia that stands proud of the property's shopfront, and the proposed elevations which show it being mounted directly to the property's steel beam and lead flashing.

Notwithstanding the above however, the design of the proposed individual letter sign is considered to be visually inoffensive by virtue of its nature as an individual letter sign. By mounting it to the property's steel beam, the architectural points of note on the building would be left exposed which is welcomed. Such a design choice would lead to the shopfront to harmonise with the rest of the application property that features exposed steel beams along the western portion of its front elevation and it's side elevation along Brown Street, furthermore, exposed steel beams are a common feature along the elevation of Manchester Arndale opposite the application site, which would then allow the application site to further tie into its surroundings. Additionally, despite having a notable depth, 95mm, the size of proposed sign is considered to be sensibly proportioned to the property's shopfront, with it not protruding above or below fascia level. The proposed levels of illumination are satisfactory so that they would not cause an unacceptable impact to neighbouring amenity. Environmental Health do not object to the proposal subject to a condition that would ensure that signage is installed so that its flare and overspill onto neighbouring properties is controlled, and that the level of illumination not exceed 300cd/m². Subject to such a condition, this element of the development is acceptable from a visual perspective.

The application site as existing is site are 3no unauthorised non-illuminated projecting signs that have a narrow width and are located within the positions of the proposed projecting signs. During negotiation it was noted that the Local Planning Authority would support the aforementioned signs if they were proposed under the submitted advertisement consent. This was due to how their slimline profile does not detract from the building's architectural merits and how they are located in the position of previously approved projecting signs.



Existing unauthorised projecting signs on site.

However, unlike the unauthorised signs pictured above, the proposed would have a width of 70mm. Projecting signage with such widths are not supported within Manchester City Centre due to how they are considered to have an awkward and cumbersome appearance which in turn detracts from the architectural merits of their respective host building when installed. This is

contrary to the provisions of Core Strategy Policies SP1 and DM1 which requires development to well designed, be appropriately sited, and be of an appropriate scale, form and mass. When compared to the host property's ornate columns located on its upper floors, such signage fails to respond well to the building's architectural merits and detracts from them by being a clear, cheap, modern intervention. This impact is considered to be heightened when it has been demonstrated that more slimline signage can be accommodated on site.

It is also found that the projecting signage is contrary to the provisions of Saved Unitary Development Plan Policy DC14 that requires development for signage to respect the architectural form of the building and shopfront. It is considered the points regarding the sign's visual impact in relation to how they are contrary to Core Strategy Policy DM1 also apply here, thus rendering the development also contrary to Saved Unitary Development Plan Policy DC14.

Furthermore, the use of such signs within the Upper King Street (Extended) Conservation Area is considered would detract from its historical significance and setting due to their poor design. This would be contrary to Core Strategy Policies CC9, EN1 and EN3, and Saved Unitary Development Plan Policy DC18, which states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering, amongst other things, the effect of signs and advertisements. For the reasons stated above, it is considered that the installation of the proposed projecting signs would fail to preserve or enhance the character of the Upper King Street (Extended) Conservation Area due to their poor design and thick widths and is thus contrary to the aforementioned policies. Taking the above into account, it is considered that this element of the proposal would have an unacceptable impact on visual amenity and should be refused.

Highway Safety

The application proposes 4no internally illuminated advertisements that would be situated on private land and of which 3no would overhang the public highway. Highways do not object to the proposal subject to an informative relaying information regarding the need for a projecting license. Subject to the attachment of such an informative in the event of an approval, it is considered the proposal is acceptable in this regard and therefore accords with Core Strategy Policies SP1 and DM1, Saved Unitary Development Plan Policy DC14, the National Planning Policy Framework and National Planning Practice Guidance in relation to highway safety.

Conclusion

In light of the above it is considered that the development should be part approved and part refused in the interest of visual amenity. The projecting signs permission is sought for are considered to be poorly designed and are thus contrary to Core Strategy Policies SP1, CC9, EN1, EN3 and DM1, Saved Unitary Development Plan Policies DC14 and DC19, National Planning Practice Guidance, the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990 and are therefore recommended for refusal. Notwithstanding this, the proposed individual letter sign has been found to be acceptable with regard to its impact on visual amenity and highway safety, and is thus in accordance with the aforementioned policies, and is therefore recommend 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 and refuse

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

0) Approve the installation of the following:

- 1 no. internally illuminated individual letter sign

0) Refuse the installation of the following:

- 3 no. internally illuminated projecting signs

1) The proposed internally illuminated projecting signage by virtue of their design and appearance do not respond positively to the architecture of the building or the significance and setting of the Upper King Street (Extension) Conservation Area. The advertisements overly thick width reinforces their inappropriateness, rendering them awkward additions within the street scene, thus being harmful to local visual amenity which is contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, policies SP1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC15 and DC18 of the Unitary Development Plan for the City of Manchester (1995), the National Planning Policy Framework and National Planning Practice Guidance.

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 1 no. internally illuminated individual letter sign approved shall be carried out in accordance with the following drawings and documents:

- J001821_A4_00 Revision J: Proposed Shopfront (Received 16/10/2023)
- Section "SIGN #1 - FASCIA SIGN" as shown on Drawing no.J001821_A4_01 Revision F: Proposed Shopfront Entrance Section & Sign Details (Received 16/10/2023)

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 approved signage shall not exceed 300 cd/m² in brightness at any time.

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Sugar Hut, Kiosk Adjacent 74 To 76, Market Street, Manchester, M1 1PD
74 - 76 Market Street, Manchester, M1 1PN
What A Potato, Kiosk, Market Street, Manchester, M1 1PD
First Floor And Second Floor, 3 Spring Gardens, Manchester, M2 1FB
16 Spring Gardens, Manchester, M2 1EE
72 Market Street, Manchester, M1 1PN
Ground Floor, 78 Market Street, Manchester, M1 1PD
3 Spring Gardens, Manchester, M2 1FB
Second And Third Floor, 3 Spring Gardens, Manchester, M2 1FB
78 Market Street, Manchester, M1 1PD
1 Brown Street, Manchester, M2 1DA
82 - 84 Market Street, Manchester, M1 1PD

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 - Upper King Street (Extension) Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL