

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138215/AO/2023
Date registered valid: 16 October 2023
Proposal: Installation of 2 externally illuminated projecting signs.
Address: Manchester New Square , Princess Street / Whitworth Street,
Manchester, M1 3PE
Ward(s): Piccadilly Ward

Applicant: Tesco Stores Ltd
Agent (if any): Daniel Botten ROK Planning
Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 29 November 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 28 November 2023

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

Listed building: Not applicable

Conservation area: Whitworth Street Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

Manchester New Square comprises three residential buildings, surrounding a landscaped square that is bound by Princess Street, Whitworth Street, Venice Street, the Rochdale Canal and the terrace of buildings on Brazil Street. It is a relatively new mixed-use development.

This application relates to a ground floor unit within Building 2, which is named Calico and has a frontage on Princess Street and Whitworth Street. There are commercial units on the ground floor and apartments on the upper floors.

The building is located within the Whitworth Street Conservation Area. It is not listed. There are a number of Grade II Listed Buildings surrounding the site including the New Union Public House and there is a Grade II Listed Lock adjacent the site.

The building is within the Gay Village of the City Centre and surrounding uses include bars, nightclubs, restaurants, shops, offices and residential accommodation.

Description of development

Advertisement Consent is sought for the installation of 2no. projecting signs. One would be located on the Princess Street elevation, and one would be located on the Whitworth Street elevation of the building.

Consultations & Notification Responses

Highway Services - The proposed signs are considered acceptable by Highways subject to appropriate Licensing.

Environmental Health - Confirmed that they have no objection.

Publicity - Letters were sent to surrounding occupiers informing them of the proposals. One objection has been received and is summarised as follows:

There are apartments directly above sign1 which diffuse reflection due to the powerful lighting and would affect the dim environment needed for rest at night. In addition, the building opposite also has many glass windows that reflects scenes of our building into the apartments. Once sign 1 is built, the light emitted by it will definitely reflect through the opposite glass into our apartments. It is suggested that the construction of sign 1 is prevented.

Issues

The Adopted Core Strategy for the City of Manchester

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.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC14 (Shopfronts and Related Signs) confirms acceptable shop front works.

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.

National Policy

Town and Country Planning (Control of Advertisements) Regulations 2007 - requires local planning authorities to exercise their powers under the Regulations in the interests of amenity and public safety, taking into account material provisions of the development plan and any other relevant factors.

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. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

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.

The NPPF Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Under these criteria the effect of the proposal on the affected heritage assets has been considered.

The projecting signs are not considered to have an acceptable appearance in terms of colour, size and relationship to the features of the building and can be approved. The depth/thickness of the proposed projecting sign would be slim and 'non box like' at 30mm. Given this, the signs would not cause harm to the significance of the surrounding listed buildings or the Whitworth Street Conservation Area.

The signs would also accord with the approved signage strategy for the building.

In view of the above, it is considered that due to the proposals would cause less than substantial harm that has not been justified by public benefit and are contrary to Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 7 and 12 of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policies SP1, CC9, EN3 and DM1 and saved policy DC18.1 of the Unitary Development Plan for the City of Manchester.

Residential Amenity -

The City Council's Environmental Health and Highway Services have both confirmed that 300 cd/m² is an acceptable lighting level in this environment.

300 cd/m² is also lower than the 600cd/m² maximum stated by the Institute of Lighting Engineers.

The signs also have slightly lower brightness than the approved signage for the adjacent unit, which was 320 cd/m² (application referenced 136888/AO/2023)

Given this, the luminance could not be reflected by the glazing of the buildings across the two adjacent roads.

Given the above the proposals are considered to be in accordance with Policies SP1, T2, EN1 and DM1 of the Adopted Core Strategy for the City of Manchester.

Public safety and residential amenity - The illumination of the signs would be restricted to 300 cd/m2.

Conclusion

The use would be consistent with national and local planning policy due to its location, appearance and lighting levels.

An objection has been received and has been addressed above however, it is considered that the proposal is in accordance with the City of Manchester's planning policies and regeneration priorities including the Adopted Core Strategy, the relevant Strategic Regeneration Frameworks and the Community Strategy, as well as the national planning policies contained within the National Planning Policy Framework and should be approved.

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 advertisement hereby approved shall be displayed in accordance with the following drawings and documents:

The location plan referenced 01_NEWS_01B received by the City Council as local planning authority on 29 September 2023

The drawings referenced:

02_NEWS_02G_R1

received by the City Council as local planning authority on 5 October 2023

03_NEWS_03D_R2

03_NEWS_03E

received by the City Council as local planning authority on 12 October 2023

The drawing showing the projecting sign with content described as 'Externally Illuminated Projecting Sign' received by the City Council as local planning authority on 16 October 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1, EN1, EN3 and SP1 and saved policies E3.3, DC14.1 and 14.5, DC18.1 and DC19.1 of the Unitary Development Plan

3) The illumination levels of the sign shall be limited to 300 cd/m².

Reason - To not affect public safety, in particular highway safety in accordance with policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012), saved policies DC14.1 and DC14.5 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF.

Informatives

1) The proposed projecting signs extend greater than 350mm over the adopted highway. As such, a Projection Over Licence will be required. This can be applied for online at https://www.manchester.gov.uk/directory_record/451898/projecting_over_the_highway

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 209, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 301, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 905, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 904, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 903, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 302, 115 Princess Street, Manchester, M1 6JB
Flat 1107, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Lower Ground Floor, 48 - 50 Whitworth Street, Manchester, M1 6HR
Flat 206, 115 Princess Street, Manchester, M1 6JB
Flat 105, 115 Princess Street, Manchester, M1 6JB
Flat 306, 115 Princess Street, Manchester, M1 6JB
Flat 1, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 804, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 1101, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 809, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 202, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 1001, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 109, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 206, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 409, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 504, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 603, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 808, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
113B Princess Street, Manchester, M1 3BF
Flat 205, 115 Princess Street, Manchester, M1 6JB
Flat 304, 115 Princess Street, Manchester, M1 6JB
Flat 16, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
61 - 63 Whitworth Street, Manchester, M1 3NY
Flat 10, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 102, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 208, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 805, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 908, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 105, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 407, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 506, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 404, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 401, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 1005, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 307, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 507, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 405, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 1106, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 101, 115 Princess Street, Manchester, M1 6JB
Flat 405, 115 Princess Street, Manchester, M1 6JB
Flat 303, 115 Princess Street, Manchester, M1 6JB
Flat 204, 115 Princess Street, Manchester, M1 6JB
Flat 202, 115 Princess Street, Manchester, M1 6JB

Flat 7, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 12, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 306, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 608, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 702, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 509, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 303, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 108, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 101, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 1006, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 802, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 205, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 706, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 403, 115 Princess Street, Manchester, M1 6JB
Flat 103, 115 Princess Street, Manchester, M1 6JB
Flat 201, 115 Princess Street, Manchester, M1 6JB
Flat 5, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 9, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 1007, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 708, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 502, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 1103, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 605, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 403, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 709, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 106, 115 Princess Street, Manchester, M1 6JB
Flat 406, 115 Princess Street, Manchester, M1 6JB
Flat 305, 115 Princess Street, Manchester, M1 6JB
Flat 3, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 6, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 2, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 4, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 906, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 604, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 901, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 803, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 707, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 606, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 203, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 201, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 408, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 806, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 1003, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 103, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 301, 115 Princess Street, Manchester, M1 6JB
Flat 104, 115 Princess Street, Manchester, M1 6JB
Flat 401, 115 Princess Street, Manchester, M1 6JB
Flat 8, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 13, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 14, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 902, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 1004, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 505, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 308, Calico Building, 46 Whitworth Street, Manchester, M1 3AX

Flat 701, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 1102, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 705, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 909, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 1104, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 302, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 204, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 1002, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 1105, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 402, 115 Princess Street, Manchester, M1 6JB
Flat 404, 115 Princess Street, Manchester, M1 6JB
Flat 102, 115 Princess Street, Manchester, M1 6JB
Flat 203, 115 Princess Street, Manchester, M1 6JB
Flat 305, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 304, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 107, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 402, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 907, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 106, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 104, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 607, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 406, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 508, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 602, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 601, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 503, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 501, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 309, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 807, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
48 - 50 Whitworth Street, Manchester, M1 6LS
Basement And Ground Floor, 61 - 63 Whitworth Street, Manchester, M1 3NY
Flat 704, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
113A Princess Street, Manchester, M1 3BF
Flat 609, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
48 Whitworth Street, Manchester, M1 6JD
Whitworth Locke Hotel, 74 Princess Street, Manchester, M1 6JD
Flat 11, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 15, Cotton Mill, 7 Samuel Ogden Street, Manchester, M1 7AX
Flat 207, Calico Building, 46 Whitworth Street, Manchester, M1 3AX
Flat 801, Calico Building, 46 Whitworth Street, Manchester, M1 3BD
Flat 703, Calico Building, 46 Whitworth Street, Manchester, M1 3BD

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 - Whitworth Street Conservation Area 1985
Area Team Boundary - Name: CENTRAL