

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135362/AO/2022		
Date registered valid:	16 May 2023		
Proposal:	Installation of 2 x illuminated fascia signs across the elevation, 1 x illuminated fascia sign above the door, 2 x illuminated hanging signs, and 6 x awnings.		
Address:	1-3 Swan Street, Manchester, M4 5JJ		
Ward(s):	Piccadilly		Ward
Applicant:	Mr Mike Dillon		
Agent (if any):	Steve Shiels Shiels Design Ltd		
Case officer:	Jack		Naven
	Tel: 0161	219	2095
	Email: jack.naven@manchester.gov.uk		
Recommendation:	Approved		
Date of recommendation:	26/07/2023		

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 24 May 2023 Expired: 14 June 2023

Neighbour notifications

Printed: 24 May 2023 Expired: 14 June 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/Area

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: Not applicable

The proposal site is located on a corner plot fronting both Swan Street and Oldham Street. The proposal site is within the area of Manchester City Centre known as the Northern Quarter.

The site is within the designated Smithfield Conservation Area. The property is not a Listed Building and there are no Listed Buildings adjoining the property on any side.

The immediate area is dominated by heavy traffic flows. The property is located at a busy junction where Swan Street and Oldham Street meet Great Ancoats Street. The general surrounding area is characterised by ground floor commercial uses, including retail and many food and drink establishments, which define the character of the area. The building is very prominent in both street scenes.

Previously the site was used for office accommodation on the upper two floors, with the ground floor having been used in the past for retailing and other commercial uses. Since 2019, the ground floor and basement have been used as a drinking establishment - originally applied as Class A4 Drinking establishments, now Class E(b). Parts of the first floor are currently used for studio apartments and a communal living space.

The building previously had a mainly glazed ground floor facing both Oldham Street and Swan Street, with a large black fascia board affixed to both elevations. The ground level of the building will now feature a new front that has windows in PPC metal framing, broken up by new decorative piers with glazed green tile cladding.

Description of Proposal

The proposal seeks advertisement consent for the installation of 2 x illuminated fascia signs across the elevation, 1 x illuminated fascia sign above the door, 2 x illuminated hanging signs, and 6 x awnings with lettering and logo on them.

The fascia signs feature the brand logo of 'The Wayfarer', which is in white, in 80mm thick opal acrylic lettering on RAL 9005 signage boards.

The hanging signs are 460mm by 460mm with a depth of 18mm, fixed to the building on a mounting rod that produces out a maximum of 620.5mm from the wall. These hanging signs are black with the brand logo of 'The Wayfarer' in white.

The six black awnings are black and feature the brand logo on 'The Wayfarer' in white on the narrow edge of the awnings facing on to the street.

Relevant Applications

135019/FO/2022 - Elevational alterations to form new shop frontage and entrance. Approved February 2023.

Consultations & Notification Responses

Highway Services - No objections. Recommend that luminance condition be added. Highways Licensing informative added.

Environmental Health - Recommended that luminance condition be added.

Publicity - Letters were posted out to neighbouring properties notifying them of this advertisement consent application. No responses were received as a result of 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 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.

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.

Other Legislation

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

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 would represent an improvement to the visual amenity of the building itself, the surrounding street scene, and the surrounding conservation area. The signage helps makes the establishment more visually appealing and more noticeable to prospective customers and passers by coming from Swan Street, Oldham Street or Great Ancoats Street, thus creating a more active street scene and increasing passive surveillance. The signage is considered to be of a sophisticated, modern and clean design that blends in well with the green glazed brickwork that has been implemented on this site.



Previous Signage at this Location



E-02

OLDHAM STREET ELEVATION

1:50

Proposed Signage on Oldham Street



E-01

SWAN STREET ELEVATION

1:50

Proposed Signage on Swan Street

It is therefore considered overall that the proposal will enhance the building in question, the street scene and the designated conservation area. The proposal is therefore considered to accord with Core Strategy Policies SP1, DM1, EN1, EN3, CC9 and saved UDP policy DC18.

Public Safety

There are no public safety concerns with the proposed signage. All signage complies with headroom and carriageway clearance requirements. The luminance of the illuminated signage is 267cd/m², which is in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers. A condition has been added to ensure that the luminance levels does not exceed 300cd/m².

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 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: Approved

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 03 November 2022:
Location Plan

Received by the City Council as Local Planning Authority on 16 May 2023:

Proposed Signage A0.02.5

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 signage shall not exceed 300 cd/m 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.

Informatives

1) Any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email at highwaylicences@manchester.gov.uk and highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Room 15, 5 Swan Street, Manchester, M4 5JJ
Room 14, 5 Swan Street, Manchester, M4 5JJ
Room 13, 5 Swan Street, Manchester, M4 5JJ
Room 12, 5 Swan Street, Manchester, M4 5JJ
Room 11, 5 Swan Street, Manchester, M4 5JJ
Room 10, 5 Swan Street, Manchester, M4 5JJ
Room 9, 5 Swan Street, Manchester, M4 5JJ
Room 8, 5 Swan Street, Manchester, M4 5JJ
Room 7, 5 Swan Street, Manchester, M4 5JJ
Room 6, 5 Swan Street, Manchester, M4 5JJ
Room 5, 5 Swan Street, Manchester, M4 5JJ
Room 4, 5 Swan Street, Manchester, M4 5JJ
Room 3, 5 Swan Street, Manchester, M4 5JJ
Room 2, 5 Swan Street, Manchester, M4 5JJ
Room 1, 5 Swan Street, Manchester, M4 5JJ
79 Tib Street, Manchester, M4 1LS
Quality Engineering Design, 77 Tib Street, Manchester, M4 1LS
75 Tib Street, Manchester, M4 1LS
First Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Second Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Third Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
Basement And Ground Floor, 7 - 9 Swan Street, Manchester, M4 5JJ
5 Swan Street, Manchester, M4 5JJ
Flat 1, 4 Swan Street, Manchester, M4 5JN
4 Swan Street, Manchester, M4 5JN
WORK SOLUTIONS, 116 Tib Street, Manchester, M4 1LR
Igloo, 73 Tib Street, Manchester, M4 1LS
Basement And Ground Floor, 2 Swan Street, Manchester, M4 5JN
2 Swan Street, Manchester, M4 5JN
7 - 9 Swan Street, Manchester, M4 5JJ
Unit 1, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 19, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 18, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 17, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 16, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 15, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 14, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 12, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 11, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 10, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 9, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 8, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 7, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 6, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 5, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 4, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 3, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 2, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ
Flat 1, The Burton Building, 90 - 94 Oldham Street, Manchester, M4 1LJ

Frog And Bucket, 102 Oldham Street, Manchester, M4 1LJ
1 Houldsworth Street, Manchester, M1 1EJ
Crown And Kettle, 2 Oldham Road, Manchester, M4 5FE
2 - 4 Swan Street, Manchester, M4 5JN
First Floor And Second Floor, 2 - 4 Swan Street, Manchester, M4 5JN
135 - 141 Oldham Street, Manchester, M4 1LN
143 - 147 Oldham Street, Manchester, M4 1LN
4 Oldham Road, Manchester, M4 5FE

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
Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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