MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	137569/AO/2023
Date registered valid:	25 July 2023
Proposal:	Installation of 1no. hanging sign.
Address:	26-28 Ground Floor And Basement , Dale Street, Manchester, M1 1FY
Ward(s):	Piccadilly Ward
Applicant:	Mr Vincent Tao Sneaker Pharm Ltd
Agent (if any):	Vincent Tao
Case officer:	Max Gibson Tel: 0161 219 6359 Email: maximillian.gibson@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**04/09/2023**

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:
Printed: 8 August 2023 Expired: 29 August 2023

Neighbour notifications
Printed: 8 August 2023 Expired: 29 August 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: Grade II

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order:

Description of area
The area relates to Piccadilly, a prominent ward in Manchester's City Centre. The character of the area comprises many different uses including retail, office, entertainment, residential, dining, drinking and hotel. The site falls within the Stevenson Square Conservation Area and there are many listed buildings within its boundaries.

The site relates to the ground floor and basement of 26-28 Dale Street, a Grade II-listed building. The building was originally constructed as a residential property and retain the exterior form of a Georgian townhouse. Despite its domestic exterior form, it has been used a commercial premises for many decades.

Description of development
The development relates to the installation of 1no. black-and-white, hanging projecting sign.

Consultations & Notification Responses
Publicity - letters were sent to surrounding occupiers informing them of the development. No representations have been received as a result of this publicity.

Highways - no objections

Issues
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 main policies that relate to this application are DM1 (Development Management) SP1 (Spatial Principles) EN3 (Heritage) CC9 (Design and Heritage) of the Manchester Core Strategy (2012), DC14 (Shopfronts and Related Signs) DC18 (Conservation Areas) and DC19 (Listed buildings) of the Unitary Development Plan for Manchester (1995) and Sections 12 and 16 of the National Planning Policy Framework.

The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. An assessment of the proposals under this criteria is outlined below.

Visual Amenity
Although there is evidence the building has been used as commercial premises for many decades, the elevation retains the form of a Georgian-period dwelling house, with no obvious areas for signage to be installed. However, it is accepted that a business may require some form of signage to advertise its presence. Given the domestic character of the building, as well as its designation as a listed heritage asset, signage should be kept to a minimum, be historically sympathetic in form and subdued in design and materiality.

The application seeks the installation of 1no. hanging sign only that is acceptable pursuant to policy DC14 of the UDP, which allows for a single projecting sign per unit. The sign would be of a hanging, bracketed type which is supported in conservation areas and on listed buildings.

The sign itself would be made from a single sheet of aluminium with the logo printed on. The sheet has a thickness of c.3mm, substantially less than the maximum permitted of 30mm. This minimalist design and scale would ensure that the sign does not create an overly strident feature on the elevation that would detract from the host building's features of significance.

Public safety
The application was assessed by MCC Highways Services. It satisfies minimum headroom requirements and therefore it is not considered that the signage would be detrimental to

pedestrian safety. An informative is attached to make the applicant aware they must seek a projecting over licence from MCC Highways Services.

Given the above, the signage is considered acceptable pursuant to policies SP1, DM1, EN3 and CC9 of the MCS and DC14, DC18 and DC19 of the UDP.

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

Article 35 Declaration

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:

-Drawing - Proposed ANNOTATED SECTION OF THE PROPOSED FIXING
-Drawing - Proposed CROSS SECTION MEASUREMENTS OF PROPOSED FITTINGS AND LOGO DESIGNS
-Design and Access Statement
-Heritage Statement
received by the City Council, as Local Planning Authority, on 16/08/2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies CC9, EN1, EN3, SP1 and DM1 of the Core Strategy, saved policy DC19.1 and Sections 12 and 16 of the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Highway Services

First Floor, 24 Dale Street, Manchester, M1 1FY
24 Dale Street, Manchester, M1 1FY
First Floor, 26 - 28 Dale Street, Manchester, M1 1FY
Second Floor, 26 - 28 Dale Street, Manchester, M1 1FY
Flat 2, Kingsley House, 15 Newton Street, Manchester, M1 1HE
41A Newton Street, Manchester, M1 1FT
First And Second Floor, 31 Dale Street, Manchester, M1 1EY
Ground Floor, 31 Dale Street, Manchester, M1 1EY
Flat 12, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 11, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 17, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Love Creative Ltd, Third Floor, 31 Dale Street, Manchester, M1 1EY
41 Newton Street, Manchester, M1 1FT
Basement Floor, 41A Newton Street, Manchester, M1 1FT
Flat 20, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 14, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 10, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 16, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 3, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Fourth Floor, 31 Dale Street, Manchester, M1 1EY
31 Dale Street, Manchester, M1 1EY
Flat 5, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 9, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Basement, 29 Dale Street, Manchester, M1 1EY
Flat 7, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 15, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 8, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Basement And Ground Floor, 24 Dale Street, Manchester, M1 1FY
Flat 18, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 13, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 4, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 19, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Kingsley House, 15 Newton Street, Manchester, M1 1HE
Second Floor, 24 Dale Street, Manchester, M1 1FY
26 - 28 Dale Street, Manchester, M1 1FY
Flat 1, Kingsley House, 15 Newton Street, Manchester, M1 1HE
Flat 6, Kingsley House, 15 Newton Street, Manchester, M1 1HE
CTI DIGITAL LTD, Fifth Floor, 31 Dale Street, Manchester, M1 1EY
29 Dale Street, Manchester, M1 1EY

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 - Stevenson Square Conservation Area 1987
Area Team Boundary - Name: CENTRAL