

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137819/AO/2023
Date registered valid: 2 August 2023
Proposal: Installation of advertisement mural.
Address: Star And Garter, 18 - 20 Fairfield Street, Manchester, M1 2QF
Ward(s): Piccadilly Ward

Applicant: Mr Atheer Al-Salim Headstock Ltd
Agent (if any): Ms Emma Baxter Orion Heritage
Case officer: David Brettell
Tel: 0161 234 4556
Email: dave.brettell@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 4th September 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 11 August 2023

Standard consultations:

Printed: 10 August 2023 Expired: 31 August 2023

Neighbour notifications

Printed: 11 August 2023 Expired: 1 September 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:

Tree Preservation Order:

Description of area

The site is located at the Star and Garter Public House, Fairfield Road, Manchester.

The application site is located to the gable end wall of the Grade II listed Star and Garter public house, which is the only surviving nineteenth century building to the plot of land adjacent to the south flank of Fairfield Street. The remainder of the street frontage is currently gravelled and used for car parking.

The immediate environs of the site are made up of the supporting fabric of the railway infrastructure and associated buildings, including the Grade II listed Engine Shed, undercroft and Goods office at Manchester Piccadilly. The elevated railway track over Travis Street generates a degree of severance of longer vistas. The remaining structure of the former Mayfield Station has been repurposed as an arts and entertainment venue.

Description of development

The proposed development comprises the installation of a mural to the eastern gable end

wall of the public house. The mural occupies the whole of the gable, from 1.8m above ground level, and is non-illuminated.

The mural depicts the singer Ian Curtis of the post-punk band Joy Division. It is intended to replace a previous, similar mural, which was located in the Northern Quarter, and was recently painted over, having become a tourist attraction.

Consultations & Notification Responses

Site notice and press advert - no comments received.

Neighbours - no comments received.

Highways - No objections. The mural and adjacent land is in private ownership, and does not impact on Highways.

Issues

The key issue raised by this application relates to the design and appearance of the proposed mural in relation to the listed building upon which it is proposed, along with highway considerations.

In relation to planning policy, the proposal is in accordance with Core Strategy policy CC 9 - Design and Heritage, and saved UDP Policy DC19.1 (Listed Buildings).

The mural, which constitutes an advert, as it includes some limited branding, and is considered to be appropriate to the external appearance of this listed building.

Highway Services do not object to the proposal.

As such, the application is recommended for approval, for a period of three years.

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

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 plans drawings:

Location Plan showing site edged red, submitted 02.08.23

East Elevation Ref: E-P-X-10 Rev P1, submitted 17.07.23

Ground Floor Plan Ref:P-X-X-01, submitted 17.07.23

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved UDP policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Flat Above, Star And Garter, 18 - 20 Fairfield Street, Manchester, M1 2QF

Mayfield Storage, Fairfield Street, Manchester, M1 2QF

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

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Area Team Boundary - Name: CENTRAL