

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137233/LO/2023

Date registered valid: 25 July 2023

Proposal: Listed building consent for the installation of a manually retractable awning and separate 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):

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: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 9 August 2023 Expired: 30 August 2023

Site notice

Posted: 14 August 2023 Expired: 4 September 2023

Press advert

Published: 15 August 2023 Expired: 29 August 2023

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 as 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 - a notice was displayed on site informing passersby of the development. An advert was posted in the local press as a development affecting a listed building. Letters were sent to neighbours informing them of the development. No representations have been received as a result of this publicity.

Issues

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.

Principle

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 principle of the development is therefore considered acceptable.

Impact of the works on the listed building

Visual

The projecting sign will be affixed to the building using a bracket from which it would hang. This style of projecting sign, which is traditional in form, is considered acceptable for use on a listed building. Therefore, the sign should not be overly incongruous, notwithstanding the domestic proportions of the elevation.

The sign itself will be fabricated from a single sheet of aluminium, c3mm in thickness. This is substantially below the 30mm maximum permitted in the City Centre. As a result, the sign would not be overly bulky and hence not create a dominant feature in the elevation.

The sign would be monochrome, with black lettering on a white background and hang from a black bracket. This would make the signage clearly legible without creating an overly strident feature on the building's primary elevation.

There is no illumination, internal or external, proposed as part of the development, reducing the sign's prominence, and therefore not detracting from the appreciation of the facade from which the building derives much of its significance.

Physical

The applicant has confirmed on the drawings that the fixing points will go into the mortar joints thereby not creating any non-reversible damage to listed fabric. Although there are some pre-existing fixing points above the window from a previous projecting sign, it is considered that placing the sign here would be create a more incongruous feature as the sign would hang down and cut across the top of the window.

Furthermore, policy DC14.5(d) discourages the placement of signage between ground and first floor windows. Therefore, on balance it is considered that the placement of the signage is considered acceptable as it will result in a small degree of reversible harm to the listed building.

Impact of the works on the conservation area

As discussed above, the proposed signage is subdued in design, scale and materiality. Therefore, it is not predicted that it will create an obtrusive feature in the street scene and hence

will have a negligible impact on the character of appearance of the Stevenson Square Conservation Area.

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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. In this instance, some negotiations were necessary and the scheme is considered acceptable and appropriate conditions have been attached to the end of this report. The scheme is considered to be in accordance with the guidance contained within saved policy DC1 of the Manchester Unitary Development Plan, policies SP1 and DM1 of the Core Strategy and the National Planning Policy Framework.

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

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
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
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
33 Back Piccadilly, Manchester, M1 1HP
Flat At, 33 Back Piccadilly, Manchester, M1 1HP
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
Merchants Hotel, Back Piccadilly, Manchester, M1 1HP
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

