

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136632/AO/2023
Date registered valid: 10 May 2023
Proposal: New internally illuminated fascia sign and 3 internally illuminated projecting signs.
Address: 68-70 Market Street, Manchester, M1 1PW
Ward(s): Deansgate Ward

Applicant: Mr M Chung H&M
Agent (if any): Stuart Kern Quadrant Design
Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 27/06/2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 17 May 2023

Standard consultations:

Printed: 16 May 2023 Expired: 6 June 2023

Neighbour notifications

Printed: 16 May 2023 Expired: 6 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/building

The application relates to the corner commercial unit present at no68-70 Market Street. The application site itself is in a Class E(a) commercial use and features a glazed shopfront, 2no internally illuminated projecting signs and an internally illuminated fascia sign.

Listed building: Not applicable

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The neighbouring area lies within the heart of the City Centre's Primary Shopping Area and is thus characterised by a high number of properties in varying Class E commercial uses. Market Street is a pedestrianised street adorned with a high number of fascia and projecting advertisements of varying type, design and age.

Description of development

The application seeks advertisement consent for the installation of 1no internally illuminated fascia sign and 3no non-illuminated projecting signs, following the removal of the unit's existing fascia and projecting signs.

The proposed fascia sign would be completed in powder coated aluminium and have a width of 0.9m, a height of 0.6m and a depth of 0.03m. The fascia sign would be located in the same position as that of the existing fascia sign and would also be coloured in red, whilst also having a luminance level of 300cd/m².

Two of the proposed projecting signs would be located in place of the unit's existing projecting signs located on Market Street, with the third sign located off of the property's north-western corner facing out onto Brown Street. All of the projecting signs would have a height of 0.5m, a width of 0.5m (0.6m when including the proposed fittings) and a depth of 0.03m. The signs would be non-illuminated and would be finished in powder coated aluminium coloured grey. Each sign would have a minimum 3m clearance from the footway.

Planning History

The most relevant permissions are shown below:

109535/AO/2015/C1 - The installation of three individual lettered signs and two projecting signs – Approved November 2015.

109534/FO/2015/C1 - The installation of a new shop front – Approved November 2015.

097770/AO/2011/C1 - Installation of new shop signs including individual letter fascia sign and 2 projecting signs – Approved March 2012.

097769/FO/2011/C1 - Elevational alterations to shopfront including renewal of 2 stone columns either side of entrance. Installation of new spandrel glazing and new fascia and works to entrance – Approved March 2012.

Consultations & Notification Responses

Environmental Health – No objection subject to luminance levels being reduced to 300cd/m² and a condition relating to illuminated signage.

Highways – No objection, detail should be sought from the applicant in relation to any proposed construction or fit-out arrangements, where there is an impact on the highway taking into consideration the surrounding traffic restrictions.

Publicity – None received.

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 Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester - For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC14 – Shop Fronts and Related Signs
- Policy DC15 – Advertisements, Hoardings and Posters

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving Well-Designed Places

National Planning Practice Guidance (NPPG)

- Advertisements

Issues

Visual Amenity

The proposal would see the installation of 3no replacement advertisements (1no fascia sign and 2no projecting signs) and the installation of a singular new projecting sign. The proposed advertisements would be located on a prominent corner commercial unit situated within Manchester City Centre’s Primary Shopping Area.

As stated previously 2no of the 3no proposed projecting signs and the proposed fascia sign would replace existing advertisements.

The proposed signs are streamline, only having depths of 0.03m, thus ensuring they would not have a box like appearance. Similarly, the proposed projecting sign situated on Brown Street would be seen in the context of neighbouring units with projecting signage at no1 and no19 Brown Street.

Then taking into account the commercial nature of Market Street and Brown Street, it is considered the proposed signage would blend seamlessly with neighbouring advertisements and commercial units, whilst also uplifting the appearance of the application site by replacing existing low-quality advertisements. On this basis the proposal complies with Core Strategy Policies SP1, EN1 and DM1, Saved Unitary Development Plan Policies DC14 and DC15, the NPPF and NPPG.

Public Safety

Highways have confirmed the proposed signage does not require a projecting license and are within acceptable luminance levels. Highways did note however that the applicant should be advised that 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.

It is thus considered appropriate that in the event of an approval this information be relayed to the applicant via an informative.

Environmental Health do not object to the proposal provided any illuminated advert does not exceed a luminance level of 300cd/m² and a condition that would require illuminated adverts to be designed so that their glare and overspill onto nearby properties is controlled. Amended plans have been received which would see the illuminated fascia sign have a maximum luminance of 300cd/m². As such, subject to the aforementioned condition and informative it is considered the proposal is acceptable from a highway and public safety perspective and is thus in accordance with Core Strategy Policies SP1 and DM1, Saved Unitary Development Plan Policies DC14 and DC15 and NPPG.

Conclusion

In light of the above, the proposal is considered to be acceptable in respect of both design and public and highway safety and is thus in accordance with Manchester Core Strategy Policies SP1, EN1 and DM1, Saved Unitary Development Plan Policies DC14 and DC15, the National Planning Policy Framework and National Planning Practice Guidance. The application is therefore recommended for approval.

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 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.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- o J001821_A4_00 Revision E: Proposed Shopfront (Dated 21/06/2023; Received 21/06/2023)
- o J001821_A4_01 Revision C: Proposed Shopfront Entrance Section (Dated 12/06/2023; Received 12/06/2023)

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) The applicant should be advised that 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 - highwaylicences@manchester.gov.uk highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Stall Adjacent 82 To 84, Market Street, Manchester, M1 1PD
Sugar Hut, Kiosk Adjacent 74 To 76, Market Street, Manchester, M1 1PD
Ground Floor Clinic, 19 Spring Gardens, Manchester, M2 1FB
LOCKTON COMPANIES INTERNATIONAL, Sixth Floor, Tootal House, 19 - 21 Spring Gardens, Manchester, M2 1FB
Fifth Floor, Tootal House, 19 - 21 Spring Gardens, Manchester, M2 1FB
Fourth Floor, Tootal House, 19 - 21 Spring Gardens, Manchester, M2 1FB
What A Potato, Kiosk, Market Street, Manchester, M1 1PD
Third Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Ninth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Seventh Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
SPACEZERO (NORTH) LTD, Mezzanine Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Second Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
First Floor, 17 Marble Street, Manchester, M2 3AW
Ground Floor, 17 Marble Street, Manchester, M2 3AW
BRUNTWOOD ESTATES BETA, Fourth Floor, 17 Marble Street, Manchester, M2 3AW
Eighth Floor, 17 Marble Street, Manchester, M2 3AW
Fifteenth Floor, 17 Marble Street, Manchester, M2 3AW
Third Floor, 17 Marble Street, Manchester, M2 3AW
Sixth Floor, 17 Marble Street, Manchester, M2 3AW
Fifth Floor, 17 Marble Street, Manchester, M2 3AW
Twelfth Floor, 17 Marble Street, Manchester, M2 3AW
Thirteenth Floor, 17 Marble Street, Manchester, M2 3AW
Ninth Floor, 17 Marble Street, Manchester, M2 3AW
First Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Eighth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Tenth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Eleventh Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Sixth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Fifth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Fourth Floor, Zenith Building, 26 Spring Gardens, Manchester, M2 1AB
Ground Floor, 26 Spring Gardens, Manchester, M2 1BB
Sixth Floor, 19 Spring Gardens, Manchester, M2 1FB
Fifth Floor, 19 Spring Gardens, Manchester, M2 1FB
Seventh Floor, 17 Marble Street, Manchester, M2 3AW
Tenth Floor, 17 Marble Street, Manchester, M2 3AW
Fourteenth Floor, 17 Marble Street, Manchester, M2 3AW
Second Floor, 17 Marble Street, Manchester, M2 3AW
Eleventh Floor, 17 Marble Street, Manchester, M2 3AW
Second And Third Floor, 3 Spring Gardens, Manchester, M2 1FB
Fourth Floor, 19 Spring Gardens, Manchester, M2 1FB
Third Floor, 19 Spring Gardens, Manchester, M2 1FB
Second Floor, 19 Spring Gardens, Manchester, M2 1FB
First Floor, 19 Spring Gardens, Manchester, M2 1FB
Ground Floor, 78 Market Street, Manchester, M1 1PD
74 - 76 Market Street, Manchester, M1 1PN
Ground Floor, 19 Spring Gardens, Manchester, M2 1FB
First Floor And Second Floor, 3 Spring Gardens, Manchester, M2 1FB

72 Market Street, Manchester, M1 1PN
16 Spring Gardens, Manchester, M2 1EE
3 Spring Gardens, Manchester, M2 1FB
78 Market Street, Manchester, M1 1PD
11 Spring Gardens, Manchester, M2 1FB
82 - 84 Market Street, Manchester, M1 1PD

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 - Upper King Street (Extension) Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL