

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136581/AO/2023

Date registered valid: 26 April 2023

Proposal: Installation of 1no. fascia sign comprising internally-illuminated, individual letters affixed to a rail.

Address: Black Sheep Coffee, Unit 1A, 4 Hardman Square, Manchester, M3 3EB

Ward(s): Deansgate Ward

Applicant: Black Sheep Coffee

Agent (if any): Miss Natalie Long Technical Signs

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 30 May 2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 2 May 2023 Expired: 23 May 2023

Neighbour notifications

Printed: 2 May 2023 Expired: 23 May 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: Not applicable

Conservation area: n/a

Tree Preservation Order: n/a

Description of area

The application relates to a six storey office building on the north side of Hardman Square in Spinningfields. The building is adjacent to the southern end of Manchester Crown Court. The character of the area comprises a number of different uses including offices, shops and food and drink uses. The building consists of a steel frame predominantly clad in glazed curtain walling and house two other food and drink units on the ground floor.

Description of development

The development relates to the installation of fascia signage to advertise the new occupier of Unit 1A, Black Sheep Coffee. The signage will consist of internally illuminated individual letters mounted to a rail affixed to the two pillars either side of entranceway

Consultations & Notification Responses

Publicity - letters were sent to surrounding occupiers informing them of the development. No representations were received as a result of this publicity.

Highways Services - The proposals are considered acceptable by Highways.

Environmental Health - Condition to control illumination recommended to protect residential amenity.

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 Manchester 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), DC15 (Advertisements, hoardings and posters) and the National Planning Policy Framework, in particular Section 12 (Achieving well-designed places).

Issues

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

The proposed signage is modest in design, consisting of internally illuminated letters affixed to a rail at fascia level. The lettering would be monochrome and the rails stainless steel. Luminance will be controlled to 300cd/m²

Whilst signage would ordinarily be placed behind the glass in Spinningfields, the design follows the precedent of the adjacent unit's signage which was granted consent under app. ref. 091635/AO/2009/C1.

Following the precedent of other units on the ground floor of 4 Hardman Sq., no projecting sign is proposed.

Given the simplicity of the design, the low luminance and the consistency with other signage at 4 Hardman Sq, the proposed signage is considered unobtrusive in the context of the building and wider street scene.

Public Safety

No concerns have been raised by Highways Services. The unit is not on the adopted highway so would not distract drivers.

Environmental Health has recommended a condition to control the luminance of the proposed sign in order to protect residential amenity. An appropriate condition is attached to this 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

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 596722-2 REV C SIGNAGE received by the City Council, as local planning authority, on 24/05/2023

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, and Section 12 of the National Planning Policy Framework.

3) Lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties.

The signage will be selected and installed to ensure the illuminance does not exceed 300cd/m².

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policies SP1 and DM1 of the Manchester Core Strategy (2012) and extant policy 15.2 of the UDP (1995) for Manchester

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Advertising Right Outside 4, Hardman Square, Manchester, M3 3EB
Fifth Floor, 3 Hardman Square, Manchester, M3 3EB
5 Hardman Square, Manchester, M3 3EB
Fourth Floor, 3 Hardman Square, Manchester, M3 3EB
Third Floor, 3 Hardman Square, Manchester, M3 3EB
Seventh Floor, 3 Hardman Square, Manchester, M3 3EB
Unit 1, 4 Hardman Square, Manchester, M3 3EB
Second Floor, 3 Hardman Square, Manchester, M3 3EB
Unit 3, 3 Hardman Square, Manchester, M3 3EB
Unit 2, 3 Hardman Square, Manchester, M3 3EB
Unit 1, 3 Hardman Square, Manchester, M3 3EB
First Floor, 3 Hardman Square, Manchester, M3 3EB
Bagel Nash, 4 Hardman Square, Manchester, M3 3EB
Third Fourth And Fifth Floors, 4 Hardman Square, Manchester, M3 3EB
First Second And Third Floors, 4 Hardman Square, Manchester, M3 3EB
Unit 1B, 4 Hardman Square, Manchester, M3 3EB
3 Hardman Square, Manchester, M3 3EB
The Crown Court, Crown Square, Manchester, M3 3FL

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
Area Team Boundary - Name: CENTRAL