

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135736/AO/2022

Date registered valid: 30 January 2023

Proposal: Installation of halo-illuminated individual letter fascia sign together with the installation of halo-illuminated individual letter high level building sign

Address: 78-88 High Street, Manchester, M4 1ES

Ward(s): Piccadilly Ward

Applicant: Mr Oliver Ludlam OBI Property

Agent (if any): Mr Oliver Ludlam OBI Property

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

Recommendation: Approve

Date of recommendation: 08/03/2023

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 7 February 2023 Expired: 28 February 2023

Neighbour notifications

Printed: 7 February 2023 Expired: 28 February 2023

Site notice

Posted: 9 February 2023 Expired: 2 March 2023

Press advert

Published: 14 February 2023 Expired: 7 March 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order:

Description of area

The area relates to the Northern Quarter, a renowned cultural quarter of Manchester's city centre. The character comprises many different uses, including dining, drinking, entertainment, leisure, offices, medical, retail and residential. The site lies within the Smithfield Conservation Area 1987 and there are numerous listed and non-designated heritage assets in the vicinity.

The site relates to 78-88 High Street, a mixed use building comprising a, currently vacant, commercial unit on the ground floor and offices on the upper floors. The building is not listed, but is considered a non-designated heritage asset.

Description of development

The development relates to the installation of 1no. halo-illuminated sign of individual letters at fascia level and the retention of 1no. halo-illuminated sign of individual letters fixed vertically on the side elevation on Back Turner Street.

Consultations & Notification Responses

Publicity - letters were sent to surrounding occupiers informing them of the development. A notice was displayed on site to inform passers-by of the development. An advert was placed in the local place as the development will affect the setting of a listed building and conservation area. No responses have been received as a result of this publicity.

Highways - no objections

Issues

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the Conservation Area and Public Safety. The main policies that relate to the assessment of the proposal are the National Planning Policy Framework, in particular Section 12. (Achieving well-designed places) and 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).

The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. These two elements are discussed below:

Visual amenity

The proposed signage and the signage to be retained are considered acceptable with regard to scale, siting and design. They are made up of individual lettering with halo-illumination. The design is simple and restrained, with sans-serif block capital letters made of stainless steel. The signage is therefore considered an unobtrusive addition to the overall street scene. Furthermore, the subdued nature of the design means that the signage should have a neutral impact on the setting of the conservation area and the adjacent listed buildings.

Public safety

The proposed luminance is 350 cd/m², well below the 600 cd/m². The signage will not protrude over the adopted highway to any significant degree. Therefore, there are not considered to be any great risks to public safety from the development, reflected in comments from Highways.

Given the above, the proposal is considered to be consistent with National Planning Policy Framework, in particular Section 12. (Achieving well-designed places) and the Core Strategy for the City of Manchester, in particular policies DM1 (Development Management), and the Saved Policy contained within the Unitary Development Plan for Manchester in particular policies DC14 (Shop fronts and Related Signs).

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 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 02_000 D SHOPFRONT ELEVATIONS, prepare by OBI Property, received by the city council, as local planning authority, on 22 Feb 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 level of the advertisements displayed shall not exceed 350.00 cd/m in brightness at any time.

Reason - In the interests of visual and residential amenity pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy and saved policies DC14.1, DC18.1, DC19.1 and E3.3 of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Flat 110 To 117, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Flat 101 To 109, Clydesdale House, 27 Turner Street, Manchester, M4 1DG
Second Floor, 92 High Street, Manchester, M4 1ES
First Floor, 92 High Street, Manchester, M4 1ES
First Floor, 30 - 32 Thomas Street, Manchester, M4 1ER
Basement Left, 30 - 32 Thomas Street, Manchester, M4 1ER
HEMISPHERE, Second Floor And Third Floor, 30 - 32 Thomas Street, Manchester, M4 1ER
Flat, 92 High Street, Manchester, M4 1ES
92 High Street, Manchester, M4 1ES
Ground Floor, 78 - 88 High Street, Manchester, M4 1ES
Basement And Ground Floor, 78 - 88 High Street, Manchester, M4 1ES
Basement And Ground Floor, 74 - 76 High Street, Manchester, M4 1ES
Fourth Floor Dooley Associates, The Land Mark, 21 Back Turner Street, Manchester, M4 1FR
EXPERT WITNESS PUBLISHERS LTD, Second Floor, The Land Mark, 21 Back Turner Street, Manchester, M4 1FR
First Floor Unit 1A, The Land Mark, 21 Back Turner Street, Manchester, M4 1ES
LIFELINE PROJECT, First Floor Unit 1B, The Land Mark, 21 Back Turner Street, Manchester, M4 1ES
Third Floor, The Land Mark, 21 Back Turner Street, Manchester, M4 1FR
Fourth Floor, The Land Mark, 21 Back Turner Street, Manchester, M4 1FR
74 - 76 High Street, Manchester, M4 1ES
Jewel House, 75 - 77 High Street, Manchester, M4 1FS
Flat 8, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 5, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 3, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 21, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 18, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 16, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 30, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 28, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 25, 11 - 21 Turner Street, Manchester, M4 1DY
69 High Street, Manchester, M4 1FS
11 - 21 Turner Street, Manchester, M4 1DY
Folk And Sole Hemisphere, 30 - 32 Thomas Street, Manchester, M4 1ER
34 - 36 Thomas Street, Manchester, M4 1ER
Flat 14, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 12, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 11, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 10, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 9, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 7, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 6, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 4, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 2, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 1, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 23, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 22, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 20, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 19, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 17, 11 - 21 Turner Street, Manchester, M4 1DY

Flat 15, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 32, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 31, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 29, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 27, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 26, 11 - 21 Turner Street, Manchester, M4 1DY
Flat 24, 11 - 21 Turner Street, Manchester, M4 1DY
90 High Street, Manchester, M4 1ES

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 - Smithfield Conservation Area 1987
Area Team Boundary - Name: CENTRAL