

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136003/AO/2023
Date registered valid: 27 January 2023
Proposal: Installation of two individual letter fascia signs together within the installation of logo sign to existing hanging sign
Address: Unit 2, 11 York Street, Manchester, M2 2AN
Ward(s): Deansgate Ward

Applicant: Michael Salvador Maki Ramen
Agent (if any): Mr Charlie McIntosh Horne McIntosh Interior Architects Limited
Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve
Date of recommendation: 24/03/2023

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

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: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order: Not applicable

The site is located on the corner of Marble Street and Fountain Street. It is a retail unit that is a part of 11 York Street, a modern development which was approved in 2015.

The surrounding area is categorised by drinking establishments, eating establishments, offices, and shops.

The site lies within Upper King Street (Extension) Conservation Area.

Description of Development

The application seeks consent for the installation of non illuminated applied vinyl logos to two existing hanging signs at Unit 2, 11 York Street, Manchester, M2 2AN. One hanging sign will be on the Marble Street elevation and one on the Fountain Street elevation.

Consultations & Notification Responses

Highway Services – Both signs apply with headroom clearance. Informatives have been added regarding highway license requirements and projection over license.

Publicity - Neighbours were notified by letter. No responses were received to these letters.

Policy

Town and Country Planning (Control of Advertisements) Regulations 2007 -

States that:

- (1) The Local planning authority would 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);
- (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 would not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

National Planning Policy Framework (2021)

The NPPF sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. The following sections are considered to be particularly relevant to the proposed development:

Section 12 'Achieving well-designed places' refers to the need for good design.

Paragraph 134 states that 'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design'

Paragraph 136 states further 'that 'the quality and character of places can suffer when advertisements are poorly sited and designed'.

Manchester Core Strategy

Adopted on 11th July 2012 and the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

The following policies within the Core Strategy are considered relevant:

Policy DM1 states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

Policy SP1 (Spatial Principle) refers to the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety and well-being of residents,

consider the needs of all members of the community and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

Unitary Development Plan for the City of Manchester 1995 (Saved Policies)

A number of UDP policies have remained until replaced by further development plan documents to accompany the Core Strategy. The following remaining policies are considered relevant to this application:

DC14.1 In determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

DC14.5 The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety.

Policy DC15 relates to advertisement hoardings and posters. The main matters to be considered in the context of this application are:

- The general location of the proposed advertisements and the effect of visual amenity;
- The number of advertisements in the locality and their cumulative effect on visual amenity.

Policy E3.3 refers to the Council looking to upgrade the appearance of the city's major radial routes.

Issues

Principle

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity and impact upon Public Safety. The main policies that relate to the assessment of the proposal are the National Planning Policy Framework, in particular Section 7 (Requiring Good Design) 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).

Visual Amenity

The installation of the logo sign to existing hanging signs would have no detrimental impact to the visual amenity of either the architecture of the host building or the surrounding area. The design of this logo sign is considered to be sophisticated and in keeping with similar signage in the area.



One of the existing projecting signs vinyl logo will be applied to



Example of projecting sign at Unit 1 York Street

Public Safety

The projecting signs comply with headroom and carriageway clearance requirements and there is no luminance of the signs.

Conclusion

Given the above, the proposal is considered to be consistent with National Planning Policy Framework, in particular Section 7 (Requiring Good Design) 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:

Received by the City Council as Local Planning Authority on 18 January 2023:
Location Plan

Received by the City Council as Local Planning Authority on 23 March 2023:
Proposed Elevations P-10 A REV C

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.

Informatives

1) 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

2) The proposed signs extend for a maximum of 0.75m over the adopted highway. As such, a projection over license will be required. This is obtainable via manchester.gov.uk and is to be funded at the applicant's expense.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Fourth And Fifth Floor, 17 York Street, Manchester, M2 3BA
Basement To Third Floor, 17 York Street, Manchester, M2 3BA
38 Fountain Street, Manchester, M2 2BE
36 Fountain Street, Manchester, M2 2BE
Seventh Floor, 17 York Street, Manchester, M2 3BA
Sixth Floor, 17 York Street, Manchester, M2 3BA
Ground Floor, 17 York Street, Manchester, M2 3BA
Brewdog Doghouse, 18 - 20 Fountain Street, Manchester, M2 2AA
BETFRED, 18 Fountain Street, Manchester, M2 2AA

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
Area Team Boundary - Name: CENTRAL