

Planning

Growth & Development

Delegated officer report for planning application

Application no.	135492/AO/2022		
Date registered valid:	24 November 2022		
Proposal:	Erection of 2no. internally illuminated individual letter signage on two elevations, 1no. illuminated and 2no. non-illuminated signs on the ground floor.		
Address:	Residence Inn, Laystall Street, Manchester, M1 2JZ		
Ward(s):	Piccadilly		Ward
Applicant:	Mr Oliver Roberts MYC		
Agent (if any):	Mr Ivan Carless Ascot Signs		
Case officer:	Jack		Naven
	Tel: 0161 219		2095
	Email: jack.naven@manchester.gov.uk		
Recommendation:	Approved and Refused		
Date of recommendation:	12/04/2023		

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 31 January 2023

Standard consultations:

Printed: 4 January 2023 Expired: 18 January 2023

Neighbour notifications

Printed: 4 January 2023 Expired: 18 January 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: Not applicable

Tree Preservation Order: Not applicable

40 Laystall Street is bounded by Laystall Street, Brock Street, Lomax Street and Great Ancoats Street. The site was previously occupied by a Grade II Listed building that was destroyed by fire in 2000. It is not within a Conservation Area but is within the setting of the Grade II Listed 32-34 Laystall Street. Other uses in the immediate area include industrial uses, shops, residential properties, hotels, bars, car parking, a church a gym and offices.

The building is not in a conservation area but is within the setting of Grade II Listed buildings.

The building has been operated as an 84 room apart hotel since 1 June 2010 and it is understood was never used as apartments. Planning permission was sought to regularise and retain the existing use as an aparthotel (C1) with the existing six commercial units (A1, A2 or B1).

The building contains 84 hotel apartment suites and is 13 storeys high (including ground floor) and has two basement levels.

Description of Development

The application seeks consent for the erection of 2no. internally illuminated individual letter signage on two elevations, 1no. illuminated and 2no. non-illuminated signs on the ground floor.

Consultations & Notification Responses

Publicity - Neighbouring properties were notified by letter. One objection was received from the owner of the parcel of land at the junction of Lomax Street and Great Ancoats Street, who was concerned that approval of this signage might prejudice the future development of the two adjoining parcels of land.

Highways Services - All signage complies with headroom and carriageway clearance requirements. Condition has been added to restrict luminance of the signs to 600 cd/m² as per Highways Services' advice.

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.

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.

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'.

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 in line with the Advertisement Regulations.

Visual Amenity

The installation of the internally illuminated individual letter signage on two elevations would have no detrimental impact to the visual amenity of either the architecture of the building or the surrounding area. The design of this signage is considered to be sophisticated and in keeping

with similar signage in the area being individual letters and brushed metal works. This would provide a high quality appearance to the signage.

A third individual letter signage is also proposed to the rear elevation of the building "Sign Type 1.3 on Laystall Street Elevation". This sign is considered to be unnecessary and would add signage clutter to the building which would be detrimental to the visual amenity of both the building and the surrounding area.

The solid backboard fascia Sign Type S.6 Main Entrance Brand Lettering is considered unacceptable. The City Council has discussed with the applicant amendment to this sign to approve its visual appearance namely the removal of the fascia board with preference that the sign is individual letters on a rack. The fascia board is considered to be an incongruous feature that would unduly impact the visual amenity of the building. The siting, scale and appearance of this sign, at the entrance of the building, would mean it is highly visible and the main sign entrants to the building would see. The sign should therefore be higher quality in appearance for such an important sign.

Public Safety

All signage complies with headroom and carriageway clearance requirements. The luminance of the illuminated signage is in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

Conclusion

Given the above, most of the proposed signs are 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).

The Individual illuminated lettering Sign Type 1.3 on Laystall Street Elevation as detailed on the Proposed Drawing Pack P04 that reads Residence Inn, is considered to be unacceptable as it creates unnecessary clutter on the building. The Sign Type S.6 Main Entrance Brand Lettering is considered to be an incongruous feature that would be considered to cause harm to the visual amenity of the building. These signs considered contrary to policies SP1 (Spatial Principles), EN1 (Design Principles and Strategic Character Areas), and DM1 (Development Management) of the Core Strategy of the City of Manchester; saved policies E3.3 (Environmental Improvement and Protection) and DC14 (Shop Fronts and Related Signs) of the Unitary Development Plan for the City of Manchester; and Section 12 (Achieving well-designed places) of the National Planning Policy Framework.

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

0) Refuse the installation of the following:

Individual illuminated lettering Sign Type 1.3 on Laystall Street Elevation

Sign Type S.6 Main Entrance Brand Lettering

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.

- 1) Individual illuminated lettering Sign Type 1.3 on Laystall Street Elevation, by virtue of its siting, scale, appearance and cumulative impact with other similar signage on the building would create advertisement clutter. The proposed signage would have an unduly harmful

impact on the visual amenity of the building and the character and appearance of the local area.

Type S.6 Main Entrance Brand Lettering is on a solid fascia which and, by virtue of its siting, scale and appearance, would relate poorly to the elevation of the building it is situated on and its appearance. This would have an unduly harmful impact on visual amenity and the character of the building. Signs Type 1.3 and Type S.6 are therefore contrary to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 together with policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012), saved policy D14 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF.

2) The individual illuminated lettering Sign Type 1.1 on Great Ancoats Street Elevation, individual illuminated lettering Sign Type 1.2 on Great Ancoats Street Elevation (From East), Sign Type S2 & S3 - Service Entrance Signage, and Sign Type S.6 Main Entrance Brand Lettering are hereby approved shall be carried out in accordance with the following drawings and documents:

Received by the City Council as Local Planning Authority on 10 March 2023:

Proposed Drawing Pack P04

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 600 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
Highway Services

132 - 134 Great Ancoats Street, Manchester, M4 6DE
Ground Floor Rear, 32 - 34 Laystall Street, Manchester, M1 2JZ
Ground Floor To Second Floor, 32 - 34 Laystall Street, Manchester, M1 2JZ
65 - 67 Ducie Street, Manchester, M1 2JQ
81 Ducie Street, Manchester, M1 2JQ
83 Ducie Street, Manchester, M1 2JQ
51 - 53 Ducie Street, Manchester, M1 2JQ
Falcon Outdoor, Laystall Street, Manchester, M1 2JY
77 - 79 Ducie Street, Manchester, M1 2JQ
Unit 4, Laystall Street, Manchester, M1 2JP
Unit 5, Laystall Street, Manchester, M1 2JP
Unit 3, Laystall Street, Manchester, M1 2JP
Unit 6, Laystall Street, Manchester, M1 2JP
Unit 1, Laystall Street, Manchester, M1 2JP
Unit 2, Laystall Street, Manchester, M1 2JP
1 - 3 Lomax Street, Manchester, M1 2LP

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
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