

Planning

Growth & Development

Delegated officer report for planning application

Application no. 135319/AO/2022

Date registered valid: 4 January 2023

Proposal: Retention of existing signage including two internally illuminated projecting signs, three building entrance signs and one high level signs.

Address: 1 Silk Street, Manchester, M4 6LZ

Ward(s): Ancoats & Beswick Ward

Applicant: Mr Rick Hilton One Silk Street Limited

Agent (if any):

Case officer: Jack Naven
Tel: 0161 219 2095
Email: jack.naven@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 01/03/2023

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 25 January 2023

Standard consultations:

Printed: 6 January 2023 Expired: 27 January 2023

Neighbour notifications

Printed: 6 January 2023 Expired: 27 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 Area

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order: Not applicable

Description of Site/Building

This application relates to 1 Silk Street, a modern 9 storey residential building that consists of 75 residential apartments in addition to 2,259 sq.m of commercial floor space. The building is bounded by Primrose Street to the north, Radium Street to the east, Silk Street to the South, and Bengal Street to the west. The development was originally approved under application 120893/FO/2018 in March 2019.

The site is a part of Ancoats Conservation Area. Victoria Square, a grade II listed building, sits directly opposite from the building on the Bengal Street side.

Description of Development

The application seeks the retention of existing signage including two internally illuminated projecting signs, three building entrance signs and one high level signs. Most of these signs are on the Silk Street elevation of the building, with two of the building entrance signs sitting on the corners of Silk Street & Bengal Street, and Silk Street & Radium Street respectively.

The high level and street entrance signs are of the same design. They have a black RAL 9005 background with the writing 'One Silk Street' and the logo in white RAL 9016. The projecting signs are of the same colours, with the words 'Colony' and 'Ancoats' in white writing and 'Silk Street' in pink CMYK on both sides of both projections.

Consultations & Notification Responses

Highway Services - Have no objections to the signs. The luminance of the fascia and projecting signs is 1cd/m2. This is in line with the MCC recommended maximum of 600cd/m2 and is acceptable to Highways. A condition has been added regarding luminance. All signs comply with headroom and carriageway clearance requirements. Informatives have been added regarding a projection over licence for the Projecting Sign, as well as an informative providing Highway Licensing advice for any associated works.

Publicity - There has been no response to the neighbour notification letters sent out.

Policy

The Unitary Development Plan for the City of Manchester

DC14.1 (Shops and Related Signs) 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 (Shops and Related Signs) The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In determining such applications, the Council will adopt the following policies. The policies relevant to this application are:

- A. In the interests of amenity,
 - a. signs should not normally be positioned other than at fascia level.
 - b. signs should respect the architectural form of buildings and shop frontages.
 - c. where no obvious fascia level exists, signs above shopfronts should be in keeping with the scale of the frontage of the building and in particular should not fill the gap between ground floor shop windows and first floor windows.
 - d. projecting box signs, or any other type of sign which projects significantly beyond the shopfront, should line up with the associated fascia board. Where this is not the case, such proposals will not be permitted.
 - e. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs.

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

Other Legislation

Sections 16, 66 and 74 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas

National Policy

Decisions should accord with the requirements of the NPPF in particular and to section 16 (Conserving and Enhancing the Historic Environment) and Paragraph 136 which states:

The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Issues

Principle

There is no objection to the principle of the signs being displayed at the application site. As required by the Town and Country Planning (Control of Advertisements) Regulations 2007, matters relevant to the consideration of this application are amenity and public safety.

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon Public Safety.

Visual Amenity

The principle of the signage is considered to be acceptable as it is felt that it would have no detrimental impact upon visual amenity and relates well to the architecture of the building. The overall appearance of the various signage is considered to be sophisticated and does not detract from the architecture of the building.

There are two projecting signs on the same elevation. The thickness and height of these signs are considered acceptable. The overall design of all signage is uncomplicated, not visually obtrusive, blends in with the modern look of the building, and is consistent in size and style with signage on similar modern developments and buildings in the surrounding area. The designs are all signs are also consistent with each other. The elevated signs perfectly blends in with the black backing it has been affixed to on the building, it cannot be seen from ground level as the section of the building it is on is set back, is not incongruous in size or design, and is only meant to be seen by those accessing the roof garden.

Public Safety

The installed signage does have a detrimental impact on public safety. Highway Services have confirmed that the signage would not be a distraction to road users or pedestrians.

Conclusion

Given the above, the signage 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:

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:

Received by the City Council as Local Planning Authority on 31st October 2022:

Proposed Drawing - SILK STREET SIGNAGE ELEVATION P16082-FCH-BA-XX-DR-A-4320
REV P2

Location Plan

Visuals Drawing - COLONY PROJECTING SIGNS

Supporting Information - ILLUMINATION TRAY SIGN 1

Supporting Information - ROOF TOP SIGN

Received by the City Council as Local Planning Authority on 04th January 2023:

Supporting Information - BENGAL STREET-SCH-04-PG1

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 fascia and signs shall not exceed 1cd/m².

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.

Informatives

1) The projecting signs extend for a maximum of 0.935m over the adopted highway. As such, a projection over license will be required. This is obtainable via https://www.manchester.gov.uk/directory_record/287425/projecting_over_the_highway and is to be funded at the applicants expense.

2) 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

Appendix 1 – List of consultees & neighbours notified

Highway Services

Flat 810, 1 Silk Street, Manchester, M4 6LZ
Flat 809, 1 Silk Street, Manchester, M4 6LZ
Flat 808, 1 Silk Street, Manchester, M4 6LZ
Flat 804, 1 Silk Street, Manchester, M4 6LZ
Flat 803, 1 Silk Street, Manchester, M4 6LZ
Flat 802, 1 Silk Street, Manchester, M4 6LZ
Flat 801, 1 Silk Street, Manchester, M4 6LZ
Flat 713, 1 Silk Street, Manchester, M4 6LZ
Flat 710, 1 Silk Street, Manchester, M4 6LZ
Flat 709, 1 Silk Street, Manchester, M4 6LZ
Flat 707, 1 Silk Street, Manchester, M4 6LZ
Flat 706, 1 Silk Street, Manchester, M4 6LZ
Flat 705, 1 Silk Street, Manchester, M4 6LZ
Flat 701, 1 Silk Street, Manchester, M4 6LZ
Flat 612, 1 Silk Street, Manchester, M4 6LZ
Flat 611, 1 Silk Street, Manchester, M4 6LZ
Flat 610, 1 Silk Street, Manchester, M4 6LZ
Flat 608, 1 Silk Street, Manchester, M4 6LZ
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Flat 501, 1 Silk Street, Manchester, M4 6LZ
Flat 413, 1 Silk Street, Manchester, M4 6LZ
Flat 412, 1 Silk Street, Manchester, M4 6LZ
Flat 411, 1 Silk Street, Manchester, M4 6LZ
Flat 410, 1 Silk Street, Manchester, M4 6LZ
Flat 409, 1 Silk Street, Manchester, M4 6LZ
Flat 408, 1 Silk Street, Manchester, M4 6LZ
Flat 407, 1 Silk Street, Manchester, M4 6LZ
Flat 406, 1 Silk Street, Manchester, M4 6LZ
Flat 405, 1 Silk Street, Manchester, M4 6LZ
Flat 404, 1 Silk Street, Manchester, M4 6LZ
Flat 403, 1 Silk Street, Manchester, M4 6LZ
Flat 402, 1 Silk Street, Manchester, M4 6LZ
Flat 401, 1 Silk Street, Manchester, M4 6LZ
Flat 313, 1 Silk Street, Manchester, M4 6LZ
Flat 312, 1 Silk Street, Manchester, M4 6LZ

Flat 311, 1 Silk Street, Manchester, M4 6LZ
Flat 310, 1 Silk Street, Manchester, M4 6LZ
Flat 309, 1 Silk Street, Manchester, M4 6LZ
Flat 308, 1 Silk Street, Manchester, M4 6LZ
Flat 307, 1 Silk Street, Manchester, M4 6LZ
Flat 306, 1 Silk Street, Manchester, M4 6LZ
Flat 305, 1 Silk Street, Manchester, M4 6LZ
Flat 304, 1 Silk Street, Manchester, M4 6LZ
Flat 303, 1 Silk Street, Manchester, M4 6LZ
Flat 302, 1 Silk Street, Manchester, M4 6LZ
Flat 301, 1 Silk Street, Manchester, M4 6LZ
Shamrock Inn, 17 - 21 Bengal Street, Manchester, M4 6AQ
Ground Floor, 116 Oldham Road, Manchester, M4 6AG
116 Oldham Road, Manchester, M4 6AG
114 Oldham Road, Manchester, M4 6AG
110 Oldham Road, Manchester, M4 6AG
118 Oldham Road, Manchester, M4 6AG
Top Flat, 120 Oldham Road, Manchester, M4 6AG
17 Bengal Street, Manchester, M4 6AQ
120 Oldham Road, Manchester, M4 6AG

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(c) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Ancoats Conservation Area 1989
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL