

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134472/LO/2022

Date registered valid: 4 October 2022

Proposal: Installation of replacement illuminated and non-illuminated signs and replacement lighting units to the exterior of the building

Address: 36 Charles Street, Manchester, M1 7DB

Ward(s): Deansgate Ward

Applicant: Mr Millar Greene King Lass O Gowrie, 36 Charles Street, Manchester, M1 7DB

Agent (if any): Mrs Gillian Shepley Ashleigh Signs Ashleigh House, Beckbridge Road, Normanton, WF6 1TE

Case officer: Emily Booth
Tel: 0161 234 4193
Email: emily.booth@manchester.gov.uk

Recommendation: Approve

Date of recommendation: 29 November 2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 28 November 2022

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 6 October 2022 Expired: 27 October 2022

Site notice

Posted: 11 October 2022 Expired: 1 November 2022

Press advert

Published: 11 October 2022 Expired: 1 November 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The application site comprises an historic public house named The Lass O' Gowrie that is located at 36 Charles Street and is Grade II Listed. It is bounded by Charles Street, Pritchard Street, Holbrook Street and the River Medlock and a raised railway line is close to the rear of the property.

The elevations of the building consist of red brick with dressings of deep red, orange and green glazed Terracotta and the building has a slate roof. It is two storeys over a basement and has many decorative features within the elevations.

The site is located in a mixed-use area consisting of residential, student residential, car parking, office, hotels, and leisure facilities including bars and clubs. The recently developed Circle Square is located on the opposite side of Charles Street. Circle Square was a significant development through an MCC endorsed strategic regeneration framework, consisting of multiple large-scale development plots.

Relevant Site Planning History

Application referenced 105288/AO/2014/C1 was approved in June 2014 and allowed the installation of various items of signage.

Description of development

The proposal seeks to replacement of the existing signage and lighting. This comprises:

- An externally illuminated timber sign board located on the river elevation of the building to replace an existing timber sign board.
- A non-illuminated cast bronze plaque located adjacent the central entrance on Charles Street to replace the existing plaque.
- A non-illuminated timber sign board located within a recess on the Charles Street elevation to replace 2no. non illuminated timber sign boards.
- An externally illuminated projecting sign located on the Charles Street elevation to replace the existing projecting sign.
- A non-illuminated timber sign board located on the chamfered corner at Pritchard Street and Charles Street.
- 12 no. floodlights to replace the existing floodlights.
- 1no. brass heritage style lantern on a metal bracket located above the entrance on Charles Street

Advertisement Consent has also been submitted for the signage (referenced 134427/AO/2022).

Consultations & Notification Responses

Publicity - The application was advertised in the local press and a site notice was displayed on site. No responses have been received.

Issues

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed, and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC14 (Shopfronts and Related Signs) confirms acceptable shop front works and advertisement displays.

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.

National Policy

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. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

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.

Paragraph 197 states that in determining planning applications, local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality.
- The desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 194 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 200 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 201 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Under these criteria the effect of the proposal on the affected heritage assets has been considered.

The advertisements would affect the appearance of the listed building but would replace existing advertisements and would improve on the appearance of the existing signs to be more in keeping with the character of the listed building.

In this context it is therefore considered that the proposed advertisements are acceptable, and the harm caused by the existing signage is minimised.

Details will be required by condition of the method of fixing of each sign and lighting unit and any related repairs due to the removal of signs and lighting units.

A condition will also be applied to the application to require the design of all proposed lighting units to be agreed.

Given the above, it is considered that the proposals would cause less than substantial harm to the listed building, but would replace existing signage and lighting units and would be consistent with paragraphs 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement. The benefits of the proposals are that the proposal consists of works that would improve the appearance of the signage and would help to ensure a future for the building, which was built as a public house and is still used as such.

Given the above, the works are considered to be consistent with the above identified policies.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application and to address issues.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The advertisement hereby approved shall be displayed in accordance with the following drawings and documents:

The location plan received by the City Council as local planning authority on 20 July 2022

The document referenced 166648 Rev B dated 30 August 2022 and received by the City Council as local planning authority on 28 November 2022.

The Design and Access/Heritage Statement received by the City Council as local planning authority on 27 July 2022

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1, EN1, EN3, CC9, and SP1 of the Core Strategy and saved policies E3.3, DC14.1 and 14.5 and DC19.1 of the Unitary Development Plan

3) Notwithstanding the information detailed within Condition 2 of this application, full and final details of the following shall be submitted to and agreed in writing by the City Council as local planning authority prior to the installation of any lighting units at the premises:

- a) the colour of each of the LED lighting units, which shall match the fabric on which the lighting units would be installed.
- b) full details of the size, design and appearance of the LED lighting units and detailed drawings showing how they relate to the features of the elevations.
- c) a maintenance strategy for the colour and finish of all lighting units.

The works shall be carried out fully and only in accordance with the approved information.

Reason - In the interests of visual amenity, and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

4) The works hereby approved shall not commence until a full method statement for the fixing of all signs, lighting units and the lantern and any required related making good of the elevations due to the removal of the existing items has been submitted to and approved in writing by the City Council as local planning authority. The works shall then be carried out only in accordance with the approved method statement.

Reason - In the interests of visual amenity and because the proposed works affect a building which is included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of this building in accordance with policies EN3 and CC9 of the Core Strategy and saved policy DC19.1; of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified

Laine Johnson Theatre Workshop, 15 Pritchard Street, Manchester, M1 7DA
Flat At, 106 Princess Street, Manchester, M1 6NG
106 Princess Street, Manchester, M1 6NG
YES, 38 Charles Street, Manchester, M1 7DB

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
Flood Zones Type 2 (low to medium risk) -
Flood Zones Type 3 (high risk) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (More) -
Area Team Boundary - Name: CENTRAL