

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134757/AO/2022

Date registered valid: 17 October 2022

Proposal: Installation of fascia signage to front elevation which is smaller than the signage it replaces, new unlettered awnings in colour to match brand guidelines and new non-illuminated, hanging projecting sign

Address: 14-16 St Ann Street, Manchester, M2 7LF

Ward(s): Deansgate Ward

Applicant: Mr Leon Carrey James Gray Bespoke Bridgeway House, Mellor Road, Cheadle Hulme, Cheadle, SK8 5AU

Agent (if any):

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

Recommendation: Approves

Date of recommendation: 13/12/2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 2 November 2022 Expired: 23 November 2022

Press advert

Published: 8 November 2022 Expired: 29 November 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order: N/A

Description of area

The area relates to St Ann's Street, which leads on to St Ann's Square, the focal point of the St Ann's Square Conservation area. The area houses a number of uses, including commercial, dining, drinking, retail, religious and entertainment. The area contains a large number of listed buildings, incl. the Grade I listed St Ann's Church and the Grade II listed Royal Exchange, as well as many non-listed heritage assets.

The site relates to corner facade of the building 14-16 St Ann's Street, at the junction of St Ann's Street and Police Street. The site currently houses a commercial/retail unit that is not let at present. The elevations consist of glazing, plastered masonry painted black at street level, with the upper storeys in off-white and bronze metal panelling above the glazing. There are retractable awnings between the glazing and bronze panels. There is a louvre at the far edge of the unit's Police Street elevation.

Description of development

The development relates to the installation of new, bronze fascia signage on both elevations, the replacement of the fabric of the awnings in a coloured fabric to match the applicant's brand guidelines and a new non-illuminated, hanging projecting sign on the St Ann's Street elevation.

Consultations & Notification Responses

Publicity - The application was advertised in the local press as an application affecting a conservation area, a site notice was displayed on site. No replies have been received.

Issues

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the adjacent Conservation Area and Public Safety. The main policies that relate to the assessment of the proposal are the Town and Country Planning (Control of Advertisements) Regulations 2007, 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).

Town and Country Planning (Control of Advertisements) Regulations 2007

The Local planning authority shall 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);

(ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

(iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(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 shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed

National Planning Policy Framework

Section 12 (Achieving well designed places)

Paragraph 136 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.

Section 16 (Conserving and enhancing the historic environment)

Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is

irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Manchester Core Strategy (2012)

The Adopted Core Strategy for the City of Manchester (2012)

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.

Unitary Development Plan for Manchester (1995)

Whilst the Core Strategy has now been adopted some of the UDP policies remain saved as there are no replacement policies contained in the Core Strategy. The relevant policies are detailed below:

The following Unitary Development Plan policies are of relevance 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. In determining such applications, the Council will adopt the following policies:

- 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. the Council will normally permit only one projecting box sign for each shop unit. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs;

f. fixed canopies mounted above fascia level or which obscure the fascia or shopfront will not normally be permitted, unless within a structural opening;

g. long canopies which ignore the architectural form of frontages will not normally be permitted.

B. In the interests of public safety,

h. any sign which is detrimental to the safety of pedestrians or motorists will be refused;

i. all canopies, blinds and awnings should provide a minimum clearance of 2.3 metres above the footpath.

Policy DC15 (Advertisements, Hoardings and Posters) - which seeks to avoid advertisement clutter to protect amenity.

Policy DC18.1 (Conservation Areas) - which seeks to preserve and enhance the character of its designated conservation areas.

Policy DC19.1 (Listed Buildings) - which seeks to preserve and enhance the settings of listed buildings by appropriate control over new developments within their vicinity.

Issues

The proposed fascia signage, made of individual bronzed letters, is considered in keeping with other acceptable examples in the conservation area. Therefore, the proposed fascia signage should have no detrimental effect on visual amenity.

The projecting sign - which will be non-illuminated, hang from a bracket and have a 30mm depth - is considered in keeping with other acceptable examples in the conservation area. Therefore, the proposed projecting signage should have no detrimental effect on visual amenity.

The replacement of the fabric of the retractable awning in a new colour reflecting the brand guidelines of the applicant is considered acceptable. The installation of fresh fabric will enhance visual amenity. The plain, unlettered fabric of the awning will prevent advertisement clutter.

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) and DC15 (Advertisements, Hoardings and Posters).

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 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 91 of the Town and Country Planning Act 1990.

3) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- Drawing proposed External elevations 113.A.003 REV 3 prepared by James Grey Bespoke received by the city council as local planning authority on 08/12/2022
- Drawing proposed Signage prepared by Signs Northwest Ltd, received by the city council as local planning authority on 22/09/2022

Furthermore, the designs for fascia signage contained in: Drawing proposed Signage PAGE 1 - 4 JC305503 prepared by Signs Northwest Ltd received by the city council as local planning authority on 17/10/2022 are considered acceptable. The designs for projecting signage contained within this document are not approved.

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, saved policy DC19.1 and Sections 12 of the National Planning Policy Framework.

4) The consent hereby granted does not grant consent or imply consent for the display of advertising on any awnings.

Reason - for the avoidance of doubt and to prevent advertisement clutter. Pursuant to Policy 15 of the Unitary Development Plan (1995) and Section 12 of the NPPF.

Appendix 1 – List of consultees & neighbours notified

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 - St Anns Square Conservation Area 1970

Area Team Boundary - Name: CENTRAL