

Planning

Growth & Development

Delegated officer report for planning application

Application no. 134586/AO/2022

Date registered valid: 11 October 2022

Proposal: Retention of various non illuminated building signs

Address: 253 Deansgate Mews, Suite A , Deansgate, Manchester, M3 4EN

Ward(s): Deansgate Ward

Applicant: Sarah Grime The Gym Group 39 Gymn Strand Street, Liverpool, L1 8LT

Agent (if any): Miss Jessica Dennis Blaze Signs Ltd Unit 5, Patricia Way, Pysons Road, Broadstairs, CT10 2XZ

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

Recommendation: Refuse

Date of recommendation: 29 November 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 12 October 2022 Expired: 2 November 2022

Neighbour notifications

No neighbour notifications have been printed and sent.

Site notice

Posted: 21 October 2022 Expired: 11 November 2022

Press advert

Published: 18 October 2022 Expired: 8 November 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area & site

The application site forms part of the modern extension to the Grade II* listed Great Northern Warehouse complex on Deansgate. The site is adjacent to the Castlefield conservation area, which has its boundary the other side of Deansgate. There are a number of severely degraded advertisement vinyl, installed without consent, on the proposed exterior elevation.

Description of development

The application seeks advertisement consent for the removal and replacement of interior and exterior signage for the gym housed in the Great Northern Warehouse. The proposed signage is non-illuminated.

Consultations & Notification Responses

Highway Services - No objections

Publicity - The application has been advertised on site. No representations have been received as a result of this publicity.

Issues

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.

Manchester Core Strategy (2012)

The following Core Strategy policies are considered relevant to this application:

Policy DM1 (Development Management) states that all development should have regard to

- appropriate siting, layout, scale, form, massing, materials and detail,
- the effects on amenity including light and road safety,
- the impact on the character of the surrounding area in terms of design, scale and appearance,
- vehicular access and car parking
- effects relating to landscape, archaeological or built heritage.

Policy SP1 (Spatial Principles) states that development in all parts of the City should make a positive contribution to neighbourhoods of choice, creating well designed places that enhance or create character, consider the needs of all member of the community and protect and enhance the built environment.

Policy CC9 (Design and Heritage) States that development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including conservation areas and listed buildings.

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:

Policies DC15.1 and 15.2 (Advertisements, Hoardings and Posters) state that the City Council will take into account the impact of advertisements on visual amenity and public safety when determining applications for the display of advertisements, including free standing advertisement hoardings.

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

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

Relevant National Policy

National Planning Policy Framework

Section 12

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 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; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

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 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 202 states that where a 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, where appropriate, securing its optimum viable use.

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.

Impact on visual amenity and on heritage assets

The new vinyl is not supported as it is detrimental to the architectural language of the building and causes advertisement clutter, harming visual amenity. The existing vinyl present on the building have a poor quality appearance and are peeling off the building due to lack of maintenance. The vinyl obscure the glazing of the building affecting the architectural expression.

The vinyl is in close proximity to a number of important listed building and in a conservation area. However, the vinyl itself is applied to a modern part of the building therefore not have any immediate impact on the setting listed buildings. The site position adjacent to the conservation area also means there are no immediate impact on its setting.

Public Safety

There are no public safety concerns with regards to this proposal.

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: Refuse

Article 35 Declaration

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

1)The proposed vinyl by virtue of its siting, scale and appearance would have an unduly harmful impact on the character and architectural language of the building and create advertisement clutter. The proposal is therefore harmful to the visual amenity of the building and the local area and therefore contrary to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, policies SP1, CC9 and DM1 of the Manchester Core Strategy (2012) and the saved policy DC14 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

Highway Services

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

Area Team Boundary - Name: CENTRAL