

Planning

Growth & Development

Delegated officer report for planning application

Application no. 130694/LO/2021

Date registered valid: 9 June 2021

Proposal: Listed building consent for the retention of various non illuminated signage including two hanging signs, building signage and externally applied window vinyls.

Address: 31 Booth Street, Manchester, M2 4AF

Ward(s): Deansgate Ward

Applicant: Maddy Stuart Portman Dental The Port, Rose Hill, New Barn Lane, Cheltenham, GL52 3LZ

Agent (if any): Other New Vision Signs and Graphics New Vision Signs and Graphics
6 Ventnor Street, Bradford, BD3 9JP

Case officer: David Brettell
Tel: 0161 234 4556
Email: dave.brettell@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 17.11.2022

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 18 June 2021 Expired: 9 July 2021

Site notice

Posted: Expired: Posted: Expired:

Press advert

Published: 22 June 2021 Expired: 13 July 2021

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application site relates to the ground floor accommodation associated with a Grade II listed building at 31 Booth Street. The premises was previously in use as office accommodation and is now in use as a dental practice. The building is part 4 part 5 storey in height.

Listed building: Grade II Star

Conservation area: Upper King Street (Extension) Conservation Area 1985

Tree Preservation Order:

Description of area

The application site is located in the central business district of Manchester City Centre. The surrounding uses are mainly commercial in nature. The buildings are a mixture of older heritage building and more contemporary developments.

Description of development

Listed building consent for the retention of various non illuminated signage including two hanging signs, building signage and externally applied window vinyls

Consultations & Notification Responses

Local Opinion – No comments received

Manchester Core Strategy (2012)

Relevant policies SP1, EN1, EN3 and DM1

Unitary Development Plan for the City of Manchester (1995)

Extant policies DC14, DC18 and DC19

Guide to Development in Manchester SPD (2007)

National Planning Policy Framework (2021)

Other legislative requirements

Section 66 Listed Building Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and case law has considerable importance and weight should be given to any impact upon a designated heritage asset but in particular upon the desirability of preserving the setting with a strong presumption to preserve the asset.

Issues

11 signs have been installed at the premises as follows:

Signs 1 and 2 – Hanging signs at the main entrance (one fronting Mosley Street the other on Fountain Street). The signs measure 700 mm x 800 mm.

Signs 3 and 4 – Plaque signage at the main entrance. Sign 3 is 900 mm x 310 and sign 4 is 590 mm x 310 mm.

Sign 5 – Transom window above the main entrance. The vinyl is externally applied covering the clear glazing. This has replaced a clear vinyl sign.

Sign 6 (Booth Street)– Two externally applied window vinyl's covering the clear glazing. This has replaced clear glass.

Sign 7(Booth Street) - Two externally applied window vinyl's – lettering only allowing view through the glazing.

Sign 8 - (Fountain Street) - Three externally applied window vinyl's – lettering only allowing view through the glazing.

Sign 9 (Fountain Street) - Two externally applied window vinyl's – images only allowing view through the glazing.

Sign 10 (Fountain Street) - Three externally applied window vinyl's covering the clear glazing. This has replaced clear glass.

Sign 11 (Fountain Street) - Four externally applied window vinyl's covering the clear glazing. This has replaced clear glass.

The cumulative impact of all the signage at the premises is unacceptable. Advertisement clutter has occurred as a result of all the signage at the property which has an unduly harmful impact on the character and appearance of the listed building, conservation area and the visual amenity of the property in the street scene. This is outlined in detail in the accompanying advertisement application 130691.

In addition, no details have been provided as to how the hanging signs have been fixed to the listed building.

The significance of the listed building is derived from its appearance and quality of the architecture including its large curved head window openings and well detailed brick work. The premises is also located in the conservation area and would have an unduly harmful impact on conservation area.

The signage has amounted to less than substantial harm to the listed building and this harm would not be outweighed sufficiently by public benefits socially, economically and environmentally as required by S66 and paragraph 202 of the NPPF. There is no clear and convincing justification for the signage.

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 signage installed at the ground floor premises at 31 Booth Street by virtue of their position, style, appearance and number causes unnecessary clutter and detracts from the architecture and appearance of the listed building. The signage would amount of less than substantial harm to the listed building and there are no public benefits which outweigh this harm. The signage is contrary to policies SP1, EN1, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995) and the National Planning Policy Framework.

Appendix 1 – List of consultees & neighbours notified

Third Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Second Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
First Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Fifth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Fourth Floor, Fountain House, 83 Fountain Street, Manchester, M2 2EE
Second Floor, 60 Fountain Street, Manchester, M2 2FE
Third Floor, 60 Fountain Street, Manchester, M2 2FE
Fourth Floor, 60 Fountain Street, Manchester, M2 2FE
Fifth Floor, 60 Fountain Street, Manchester, M2 2FE
29 Booth Street, Manchester, M2 4AF
60 Fountain Street, Manchester, M2 2FE
First Floor, 60 Fountain Street, Manchester, M2 2FE
Ground Floor, 60 Fountain Street, Manchester, M2 2FE

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 - Upper King Street (Extension) Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRL