

Planning

Growth & Development

Delegated officer report for planning application

Application no. 129191/AO/2021

Date registered valid: 25 January 2021

Proposal: Installation of high level banner sign

Address: 43 Lever Street, Manchester, M1 1FN

Ward(s): Piccadilly Ward

Applicant: Mr John Valentine 43 Lever Street, Manchester, M1 1FN

Agent (if any): Mr John Valentine Principle Signs & Graphics Ltd. Unit 14 , Chorley
Central Business Park, Stump Lane, Chorley, PR6 0BL

Case officer: Gerry Reilly
Tel: 0161 234 4163
Email: gerry.reilly@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 10 August 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 24 May 2021 Expired: 14 June 2021

Neighbour notifications

No neighbour notifications have been printed and sent.

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 site/building

Listed building: Not applicable

Conservation area: Stevenson Square Conservation Area 1987

Tree Preservation Order:

The above application relates to an historic building at 43-45 Lever Street and is within Stevenson Square Conservation Area. The building is not listed, but is considered to be a non-designated heritage asset.

Surrounding uses include residential properties, shops, cafes, restaurants, bars and offices.

Advertisement consent is sought for the display of the following:

- Installation of high level banner sign

Description of area

Description of development

Consultations & Notification Responses

Issues

The main issues for consideration relate to the acceptability of the proposals in terms of the impact on visual amenity and public safety. The main policies that relate to the assessment of the proposals are Sections 7 (Requiring Good Design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, policies EN3 (Heritage) and CC9 (Design and Heritage) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 (Shop Fronts and Related Signs), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Visual Amenity

It is proposed that the advertisement banner will be located above the existing fascia level of the property. The proposed advertisement banner would be positioned above the existing fascia level of the property, and that of the adjacent property, and would fail to respond appropriately to the appearance and architecture of the property and form an out-of-place feature. This would have a detrimental and unduly harmful impact on the visual amenity and character of the local area including the Stevenson Square Conservation Area which includes a number of listed buildings. The proposal would result in less than substantial harm to the heritage assets and there are no required public benefits to outweigh that harm. The proposed development is therefore contrary to the provisions of Core Strategy policies SP1, EN3 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), and the NPPF.

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 advertisement banner by reason of its position above the existing fascia level of the property, and that of the adjacent property, would fail to respond appropriately to the appearance and architecture of the property and form an incongruous feature. This would have a detrimental and unduly harmful impact on the visual amenity and character of the local area including the Stevenson Square Conservation Area which includes a number of listed buildings. The proposal would result in less than substantial harm to the heritage assets and there are no required public benefits to outweigh that harm. The proposed development is therefore contrary to the provisions of Core Strategy policies SP1, EN3 and DM1 of the Manchester Core Strategy (2012) and saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), and the NPPF.

Appendix 1 – List of consultees & neighbours notified

Highway Services

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

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 - Stevenson Square Conservation Area 1987

Area Team Boundary - Name: CENTRL