

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133040/AO/2022

Date registered valid: 7 March 2022

Proposal: 3 x 2.08m x 1.79m vinyls on interior of windows

Address: 8 First Street, Manchester, M15 4RP

Ward(s): Deansgate Ward

Applicant: Dina Mistry Pure Gym Town Centre House, Merrion Centre, Leeds, LS2 8LY

Agent (if any): Sharon DeMott The Signage & Display Co. 1-2 Venture Court, Hinckley, LE10 3BT

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

Recommendation: Approve

Date of recommendation: 1 June 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 9 March 2022 Expired: 30 March 2022

Neighbour notifications

Printed: 9 March 2022 Expired: 30 March 2022

Site notice

Posted: 9 March 2022 Expired: 30 March 2022

Press advert

Published: 15 March 2022 Expired: 5 April 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

The application lies within part of the City Centre known as First Street. There are a variety of uses in the surrounding area including offices, hotel, retail and bar and restaurant uses as well as the HOME Arts Centre and an established residential population that has grown over the past 17 years.

The application relates to 2 units within the ground floor and mezzanine of the development known as Plot 8 First Street which is occupied by offices above a number of ground floor commercial units. The 2 units in question (provide existing floorspace of 614 sq. m) face onto the north side of the building fronting onto one of the main pedestrian routes within the First Street Estate.

Planning permission was granted in April 2020 for "Change of use from flexible Class A1 (Shop)/A3 (Restaurant / cafe) / A4 (Drinking Establishment) to Class D2 (Gym)".

This application is for "3 x 2.08m x 1.79m vinyls on interior of windows". The signage is required in connection with the use of the premises as a gym.

Description of area

Description of development

Consultations & Notification Responses

Publicity - The application has been advertised in the Manchester Evening News as an other Development of Public Interest. A site notice was displayed and the occupiers of nearby properties have been notified.

No representations have been received as a result of this publicity.

Highways - HANGING SIGNS 1-3:

The proposed signs are not located on the adopted highway network.

The proposed signs do not extend onto the adopted highway and are situated within the property. As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 400 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

The proposed signs comply with headroom and carriageway clearance requirements.

VINYL 1:

The proposed sign is not located on the adopted highway network.

The proposed sign does not extend onto the adopted highway and are situated within the property. As such, a Projection over License will not be required.

The proposed sign is not illuminated.

The proposed sign complies with headroom and carriageway clearance requirements.

VINYL 2-16:

The proposed signs are not located on the adopted highway network.

The proposed signs do not extend onto the adopted highway and are situated within the property. As such, a Projection over License will not be required.

The proposed signs are not illuminated.

The proposed signs comply with headroom and carriageway clearance requirements

Issues

The main issues for consideration relate to the acceptability of the proposed advertisement in terms of it's impact on the street scene and highway safety . The main policies that relate to the proposal are DM1 and SP1 of the Manchester Core Strategy and saved policy DC14 of the Unitary Development Plan.

Visual amenity - The original proposals involved vinyls that would be placed on the outside of the windows which would deteriorate and become progressively more unsightly over time. The applicant has now provided amended drawings showing all the vinyls placed on the side of the window that faces into the interior of the premises.

Highway Safety - Highways have been consulted on this issue and have made the following comments

The proposed signs are not located on the adopted highway network. The proposed signs do not extend onto the adopted highway and are situated within the property. As such, a Projection over License will not be required. The proposed luminance of the sign is noted as 400 cd/m² which is considered to be in line with the 600cd/m² maximum stated by the Institute of Lighting Engineers.

The proposed signs comply with headroom and carriageway clearance requirements.

The proposals are considered to be acceptable in terms of their impact on highway safety

Given the above, the proposal is considered to be acceptable in terms of visual amenity in accordance with DM1 and SP1 of the Manchester Core Strategy and saved policy DC14 of the Unitary Development Plan.

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: Approve

Article 35 Declaration

Officers have worked in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Appropriate conditions have been attached to the approval.

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 hereby approved shall be carried out in accordance with the following drawings and documents:

Drawings

Location Plan Pure Gym First Street Manchester M15 4RP

Documents

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.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Ribeye Steakhouse, 3 Isabella Banks Street, Manchester, M15 4RL
6 First Street, Manchester, M15 4GU
4 First Street, Manchester, M15 4GU
Indian Tiffin Room, 2 Isabella Banks Street, Manchester, M15 4RL
SAINSBURYS SUPERMARKETS LTD, 4 Isabella Banks Street, Manchester, M15 4RL
3 Tony Wilson Place, Manchester, M15 4FN
Jacobs, 5 First Street, Manchester, M15 4GU
Second Floor, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
Ground Floor, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
Third Floor, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
Magnus Ltd, Suite B, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
Brindle And Yam Solicitors, Suite A, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
Fifth Floor, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
Fourth Floor, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4FD
First Floor, Hanover House, 30 - 32 Charlotte Street, Manchester, M1 4EX

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: CITY1