

Planning

Growth & Development

Delegated officer report for planning application

Application no. 133460/AO/2022

Date registered valid: 7 April 2022

Proposal: Non Illuminated External Fascia sign on existing stone fascia to replace existing and new Vinyl Tree Logo to existing Illuminated External Projecting Sign.

Address: 5 Exchange Street, Manchester, M2 7EE

Ward(s): Deansgate Ward

Applicant: Mr Tony Luck Mulberry 3 Charlecote Mews, Staple Gardens, London, SO23 8SR

Agent (if any): Mr Tony Luck Hyphen 3 Charlecote Mews, Staple Gardens, Winchester, SO23 8SR

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

Recommendation: Approve

Date of recommendation: 14 June 2022

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 9 May 2022 Expired: 30 May 2022

Neighbour notifications

Printed: 9 May 2022 Expired: 30 May 2022

Site notice

Posted: 10 May 2022 Expired: 31 May 2022

Press advert

Published: 17 May 2022 Expired: 7 June 2022

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: St Anns Square Conservation Area 1970

Tree Preservation Order:

The application relates to 5 Exchange Street, Manchester which is part of the Royal Exchange which is a Grade II listed building situated in the St Ann's Square Conservation Area. This proposal would involve the placing a Non Illuminated External Fascia sign on the existing stone fascia to replace existing and placing a new Vinyl Tree Logo to existing Illuminated External Projecting Sign.

Description of area

Description of development

Consultations & Notification Responses

Publicity - The application has been advertised in the Manchester Evening News as affecting a Listed Building and affecting a Conservation Area. 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.

Environmental Health have recommended a condition to ensure that lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties.

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

The proposed sign extends to a maximum projection of 0.038m over the adopted highway. As such, a Projection over License will not be required.

The proposed sign will not be illuminated.

A sufficient headroom clearance of 4.4m, compliant with the 2.30m minimum, is noted and accepted by Highways.

The proposed sign complies with carriageway clearance requirements.

Issues

The main issues for consideration relate to the acceptability of the proposed advertisement in terms of the impact on the character and appearance of the listed building and the St Ann's Square Conservation Area. The main policies that relate to the proposal are Section 16 of the National Planning Policy Framework (Conserving and enhancing the historic environment), and UDP policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings).

Visual amenity - The proposed signage is in keeping with the The Royal Exchange, Manchester Shopfront & Signage Design Strategy. The proposals are considered to be acceptable in terms of their impact on visual amenity

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

The proposed sign is not located on the adopted highway network. The proposed sign complies with carriageway clearance requirements.

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

Amenity - Env' Health have recommended a condition to ensure that lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties. In view of the fact that the illuminated projecting box sign has already been installed and the applicant is merely removing the old vinyl and replacing with a new one with the logo of the future occupiers it is not considered to be appropriate to attach the Env' Health recommended condition

Given the above, the proposal is considered to be acceptable in terms of visual amenity in accordance with Section 16 of the National Planning Policy Framework (Conserving and enhancing the historic environment and UDP policies DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the City Council's Unitary Development Plan.

The applicant has submitted plans that accord with the Royal Exchange Signage and Shopfront strategy

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

Drawing entitled Shopfront 8095 A001 T8 received via the email from Tony Luck of 7th June 2022

Documents

The email from Tony Luck received 16th June 2022

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
Environmental Health

FRENCH CONNECTION, 7 Exchange Street, Manchester, M2 7EE
Doctorcall Limited, Fifth Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA
Third And Fourth Floors, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA
1 Exchange Street, Manchester, M2 7EE
Fourth Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA
Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA
Third Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA
Second Floor, Kings Court, 2 - 4 Exchange Street, Manchester, M2 7HA

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: CITY1