

## Planning

## Growth & Development

### Delegated officer report for planning application

|                                |                                                                   |  |         |
|--------------------------------|-------------------------------------------------------------------|--|---------|
| <b>Application no.</b>         | 142632/AO/2025                                                    |  |         |
| <b>Date registered valid:</b>  | 4 April 2025                                                      |  |         |
| <b>Proposal:</b>               | Installation of 2no internally illuminated projecting signs.      |  |         |
| <b>Address:</b>                | Neko Health, Lincoln House, Brazennose Street, Manchester, M2 5FJ |  |         |
| <b>Ward(s):</b>                | Deansgate                                                         |  | Ward    |
| <b>Applicant:</b>              | Mr Anthimos Pavlidis Neko Health North Limited                    |  |         |
| <b>Agent (if any):</b>         | Mr Dimitris Mitaras Astra Signs                                   |  |         |
| <b>Case officer:</b>           | Sam                                                               |  | Elliott |
|                                | Tel: 0161 219                                                     |  | 2856    |
|                                | Email: sam.elliott@manchester.gov.uk                              |  |         |
| <b>Recommendation:</b>         | Approve                                                           |  |         |
| <b>Date of recommendation:</b> | 15/05/2025                                                        |  |         |

## Application details

**Type of application:** Advertisement Consent

**Development type:** Advertisements

**Date of site visit:** 23 April 2025

### Standard consultations:

Printed: 17 April 2025      Expired: 11 May 2025

### Neighbour notifications

Printed: 17 April 2025      Expired: 11 May 2025

### 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:** Albert Square (Extension) Conservation Area 1985

**Tree Preservation Order:** No

## Description of Site

The application site relates to the ground floor unit in Lincoln House, located on Brazennose Street. Lincoln House is within the Albert Road Conservation Area, and the unit's principal elevation directly faces the Manchester Peace Garden featuring the Grade II-listed Abraham Lincoln Statue and a Grade II-listed Electricity Junction Box. There are also views of the Grade I-listed Town Hall from Brazennose Street. The building is sited between Deansgate and Albert Square, forming a key pedestrian linkage between Spinningfields, the Civic Quarter and the Corridor Manchester Area.

Lincoln House's south-facing façade facing Brazennose Street features 3no. projecting box frames for the purpose of signage, each with space either side for display. These frames are uniform in shape and provide a consistency to the signage along the frontage. In addition, the internal graphics share a typeface and numbering system at present and serve to ensure a consistent approach to advertisement.

## Description of Development

Advertisement Consent is sought for 2 no. internally illuminated projecting signs on the southern-facing elevation facing the Manchester Peace Garden.

With respect to the 2 no. projecting signs, the applicant would replace the signage on either side of signs 01 and 02 along the frontage. Given that the box frames for the projecting signs already exist on site, the proposal is limited to the replacement of the acrylic text within the existing 450mm x 200mm panels. The proposed signage would be internally lit with black text on a white background, featuring the Neko Health logo in sign 01 and branding in 02. The numbering system within the signage would be retained with the existing typeface.

It is noted that the 1 no. originally proposed internally illuminated sign has been removed from the application as per amended drawings received 14/05/2025, and is now sited wholly internally behind the glazing.

## **Consultations & Notification Responses**

Highways Services:

- Sufficient headroom clearance and acceptable luminance levels.
- Applicant is required to discuss and agree licensing, hoarding scaffolding, skips with MCC's Highways Licensing Team
- Applicant is required to discuss and agree any requirements for temporary pedestrian and traffic management with MCC's Event and Traffic Management Team

Environmental Health:

- No objection to luminance of signs and recommended a condition ensuring lighting to be designed and installed so as to control glare and overspill onto nearby properties.

## **Issues**

### **Policy Context**

#### 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.

The following policies are considered relevant to this application:

## The Adopted Core Strategy for the City of Manchester

- CC9 – Design and Heritage
- DM1 – Development Management
- EN1 – Design Principles and Strategic Character Areas
- EN3 – Heritage
- SP1 – Spatial Principles

## The Unitary Development Plan for the City of Manchester

- DC14.1 – Shop Fronts and Related Signs
- DC19.1 – Listed Buildings

## Places for Everyone

- JP-P1 – Sustainable Places
- JP-P2 – Heritage

## NPPF

- Section 12 (Achieving Well Designed Places)
- Section 16 (Conserving and Enhancing the Historic Environment)

## Listed Buildings and Conservation Areas Act 1990

- Sections 16, 66 & 72

## Shopfront and Signage Design Guide

### **Amenity**

The box frames while exceeding a 30mm depth already exist on site and serve as an architectural feature of the building. The scope of the application is therefore limited to replacement graphics within the box frames, and it is not considered that the proposed signage would have a significant impact by virtue of its siting or shape given the existing context.

With respect to the replacement graphics, while the 'Neko Health' logo and branding differ from the existing text in line weight and utilise alternate typography, it is considered that they appear sufficiently minimalist, limited to information required for identifying the premises and in keeping with the original signs' graphic language. It is also noted that the proposal would retain the original typeface for the numbering system shared across all units, serving to maintain the consistency in the building's signage approach. Given that the box frames also provide consistency to the size and design of the signage along the frontage, it is not considered that the design of the signage would appear extraneous or excessive to the detriment of the building or streetscene.

In view of the above, the proposed signage is considered to be acceptable in terms of visual amenity and compliant with Policies DM1, EN1 and SP1 of the Core Strategy, Policy DC14 of the Unitary Development Plan, Policy JP-P1 of PfE, as well as being in line with guidance contained within the NPPF and the Council's Shopfront and Signage Design Guide.

In addition, given the minimalist approach to the signage it is also not considered to result in harm to the setting of the Conservation Area. Moreover given the distance to the Town Hall it is not considered that the signage would harm the setting would therefore be acceptable with respect to the Manchester Core Strategy, the UDP and PfE policies relating to Conservation Areas, as well as complying with Sections 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 and Sections 12 and 16 of the National Planning Policy Framework.

### **Public Safety**

The primary public safety concern is the illuminance of the signs. The luminance level stated in the application form is 250 cd/m<sup>2</sup>, which is acceptable to Local Highways Authority consultees. It is not considered that there would be a danger to public safety and a condition relating to the maximum illuminance will be included in the approval.

### **Other Legislative Requirements**

#### **Equality Act 2010**

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

#### **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**

#### **Condition(s) to be attached to decision for approval**

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 received by the City Council as Local Planning Authority on 14 May 2025:

XJ92664 PAGE 5 OF 8 REV 02

XJ92664 PAGE 7 OF 8 REV 02

XJ92664 PAGE 8 OF 8 REV 02

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.

3) The maximum luminance of the signage shall not exceed 300 cd/m<sup>2</sup> in brightness at any time.

Reason - In the interests of visual and residential amenity pursuant to policies SP1, and DM1 of the Manchester Core Strategy and saved policies DC14.1 of the Unitary Development Plan for the City of Manchester.

## **Appendix 1 – List of consultees & neighbours notified**

Highway Services  
Environmental Health

Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR  
Wings Restaurant, 1 Lincoln Square, Manchester, M2 5LN  
9 Brazennose Street, Manchester, M2 5AD  
34 John Dalton Street, Manchester, M2 6LE  
17 Mulberry Street, Manchester, M2 6LN  
Second Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR  
Greggs, Brazennose Street, Manchester, M2 5EA  
Ground Floor Unit 1, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
11 Brazennose Street, Manchester, M2 5AD  
Basement Store, 38 John Dalton Street, Manchester, M2 6LE  
Second Floor, 34 John Dalton Street, Manchester, M2 6LE  
Ground Floor Unit 2, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
Ground Floor, 38 John Dalton Street, Manchester, M2 6LE  
First Floor, 34 John Dalton Street, Manchester, M2 6LE  
28 - 30 John Dalton Street, Manchester, M2 6HQ  
First Floor, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
40 Brazennose Street, Manchester, M2 5EB  
2 John Dalton Street, Manchester, M2 6JP  
7 Brazennose Street, Manchester, M2 5AD  
Basement And Ground Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR  
Ground Floor First Floor Second Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR  
Fifth Floor, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
44 - 46 Brazennose Street, Manchester, M2 5EB  
5 Brazennose Street, Manchester, M2 5AD  
36 John Dalton Street, Manchester, M2 6LE  
Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
Seventh Floor, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
Second Floor, Heron House, Albert Square, Manchester, M2 5EA  
6 John Dalton Street, Manchester, M2 6JP  
14 John Dalton Street, Manchester, M2 6JP  
Second Floor Front, 14 John Dalton Street, Manchester, M2 6JP  
Fourth Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR  
Third Floor, 34 John Dalton Street, Manchester, M2 6LE  
Sixth Floor, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
Second Floor Rear, 14 John Dalton Street, Manchester, M2 6JP  
Third Floor, Ridgefield House, 14 John Dalton Street, Manchester, M2 6JR  
Bills Restaurant, 8 - 12 John Dalton Street, Manchester, M2 6JP  
Third And Fourth Floors, Trinity Court, 16 John Dalton Street, Manchester, M2 6HY  
38 John Dalton Street, Manchester, M2 6LE  
First And Second Floor, 38 John Dalton Street, Manchester, M2 6LE  
Third And Fourth Floor, 38 John Dalton Street, Manchester, M2 6LE  
48 Brazennose Street, Manchester, M2 5EB  
42 Brazennose Street, Manchester, M2 5EB

## **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

Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA

Conservation Area - Albert Square (Extension) Conservation Area 1985

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Less) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (Middle) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Susceptible to Surf Water Flood (More) -

Area Team Boundary - Name: CENTRAL