

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142384/LO/2025 and 142259/AO/2025

Date registered valid: 11 March 2025

Proposal: 142384/LO/2025 - Listed building consent for installation of 2no. internally illuminated fascia signs to replace existing fascia signs.
142259/AO/2025 - Installation of 2no. internally illuminated fascia signs to replace existing fascia signs.

Address: Opera House, Quay Street, Manchester, M3 3HP

Ward(s): Deansgate Ward

Applicant: Mr Robin Hawkes ATG Entertainment

Agent (if any): Mr David Morris iBrand Signs Ltd

Case officer: Emily
Tel: 0161 234
Email: emily.booth@manchester.gov.uk Booth 4193

Recommendation: Approve

Date of recommendation: 2 May 2025

Application details

Type of application: Listed Building Consent and Advertisement Consent

Development type: Listed building alteration and advertisements

Date of site visit: 21 March 2025

Standard consultations:

142384/LO/2025 - Printed: 20 March 2025 Expired: 10 April 2025

142259/AO/2025 - Printed: 20 March 2025 Expired: 10 April 2025

Neighbour notifications

142384/LO/2025 - Printed: 20 March 2025 Expired: 10 April 2025

142259/AO/2025 - Printed: 20 March 2025 Expired: 10 April 2025

Site notice

142384/LO/2025 - Posted: 21 March 2025 Expired: 11 April 2025

142259/AO/2025 – Not applicable

Press advert

142384/LO/2025 - Published: 25 March 2025 Expired: 15 April 2025

142259/AO/2025 – Not applicable

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order: Not applicable

Description of area

The application relates to the Grade II listed Opera House Theatre, which is located on the northern side of Quay Street adjacent to the junction where Byron Street meets Quay Street. The site is bound by Quay Street, Byrom Street and Atkinson Street.

It was designed by Sir Albert Richardson and Charles Lovett Gill with Horace Farquarson. The theatre dates from 1912 and features a decorative front elevation completed in a Neo-Classical style. Its ornate stucco frontage and lavish and exceptionally intact auditorium are of the highest significance and are core to the asset's appreciation. The side elevations of the property are secondary being more utilitarian in appearance but are not void of features.

The historic rendered façade was recently repaired in accordance with permissions referenced 133917/FO/2022 and 133918/LO/2022. The application site remains in active use as a theatre.

The property is within the Deansgate Conservation Area. Neighbouring buildings to the west along Quay Street date from the late 19th and early 20th century, including the Grade II listed Sunlight House. To the south and west of the application site lies more modern development,

with Hardman Square to located west of the application site and the Grade II listed Cobden House to the south-east.

Neighbouring uses are predominantly commercial and are comprised of shops, cafes, bars, gyms, offices and cinema uses.

Applications referenced 140105/AO/2024 and 140106/LO/2024 granted advertisement consent and listed building consent in December 2024 for the replacement of fourteen existing framed poster signs and a double-sided V sign with seven internally illuminated LED screen displays and one double sided internally illuminated LED screen display.

Description of development

Listed Building Consent and Advertisement Consent is sought for the following works:

The removal of the front face of the two existing fascia tray signs and the installation of a new front section on the two back trays

The colour of the signs would change from black with white stand-off individual letters to bronze with white stand-off individual letters.

Consultations & Notification Responses

Publicity –

142259/AO/2024 - Letters were sent to surrounding occupiers. No responses were received.

142384/LO/2025 - The application was advertised in the local press as an application for Listed Building Consent, a site notice was displayed on site and letters were sent to surrounding occupiers. No responses were received.

Highway Services - Confirmed that the proposals are acceptable.

Environmental Health - Confirmed that the proposals are acceptable.

Issues

Issues and Policy

The Adopted Core Strategy for the City of Manchester

Policy EN1 (Design Principles and Strategic Character Areas) advises that developer's will be expected to consider the City's heritage, including its listed buildings, conservation areas, archaeological remains and historic street pattern.

Policy EN3 (Heritage) advises that new developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment.

Policy CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected.

Policy SP1 (Spatial Principles) advises that development in all parts of the City should protect and enhance the built environment.

Policy DM1 (Development Management) advises that all development should be appropriately sited, scaled, formed, massed and detailed with appropriate layout and materials and should have regard to the character of the surrounding area and effects on built heritage.

The Unitary Development Plan for the City of Manchester

Saved Policy DC14 (Shopfronts and Related Signs) confirms acceptable shop front and signage works.

Saved Policy DC18.1 (Conservation Areas) states that the Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering issues including the effect of signs and advertisements.

Saved Policy DC19.1 (Listed Buildings) advises that in determining applications for listed building consent the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. The City Council will:

- Not permit any external or internal alteration or addition to a listed building where in its opinion, there would be an adverse effect on its architectural or historic character.

Places for Everyone -

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The following policies are considered relevant to this application.

Policy JP-P 1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-P 2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

National Policy

Town and Country Planning (Control of Advertisements) Regulations 2007 - requires local planning authorities to exercise their powers under the Regulations in the interests of amenity and public safety, taking into account material provisions of the development plan and any other relevant factors.

Sections 16, 66 and 72 of the Listed Buildings and Conservation Areas Act 1990 requires that special consideration is given to the preservation of the significant fabric and setting of listed buildings. Development decisions should, therefore, accord with the requirements of the NPPF and to section 16 (Conserving and Enhancing the Historic Environment).

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development". In order to meet this key planning objective, in this instance, the development should sustain and contribute to the stimulation of a thriving historic environment.

Paragraph 210 states that in determining planning applications, local planning authorities should take account of:

- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.
- (b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.
- (c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- (d) opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 207 advises that local planning authorities should require an applicant to submit sufficient information to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 213 advises that any harm to or loss of a designated heritage asset should require clear and convincing justification. Substantial harm or loss should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance, including grade I and II* listed buildings should be wholly exceptional.

Paragraph 215 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Section 12 (Achieving Well Designed Places) advises that the government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Visual Amenity -

The signs would be the same size with the same level of illumination (200 cd/m²).

The colour change would match the existing painted features of the elevation and the new frames for the approved LED screens.

The works would therefore comply with the Core Strategy for the City of Manchester, in particular Policies SP1 and DM1 and saved policy DC14 of the Unitary Development Plan.

Public Safety - No issues.

Residential Amenity -

The projecting signs would be limited to 200 cd/m² by condition to protect residential amenity.

The works would therefore comply with the Core Strategy for the City of Manchester, in particular Policies SP1 and DM1 of the Unitary Development Plan for the City of Manchester.

The impact on the Character and Appearance of the Heritage Assets affected -

The existing back tray of the signs would be retained meaning that there would be no fixings into the fabric of the facade. The proposed signs would be fixed to the existing back trays.

The signs would be the same size with the same level of illumination. The only change would be the colour of the background of the sign which would change from black to bronze.

Given that this is a minor change and that there would be no additional fixings, the impact of the signs on the significance of the building would be neutral.

A condition would be applied to require the submission and agreement of the colour and materials of the new element of the signage.

In view of the above, in relation to the grant of listed building consent, it is not considered that the proposals would cause harm to the Grade II listed building affected by the works. Therefore, the signage would comply with Sections 16 (2) and 66 of (Listed Buildings and Conservation Areas) Act 1990, Sections 7 and 12 of the National Planning Policy Framework, the Core Strategy for the City of Manchester, in particular Policies SP1, CC9, EN3 and DM1 and saved policy DC19.1 of the Unitary Development Plan for the City of Manchester.

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

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. In this instance this has included ongoing advice about the information required to be submitted to support the application and discussions regarding amendments to the proposals that have allowed that application to be approved.

Condition(s) to be attached to decision for approval 142384/LO/2025

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2) The development hereby approved shall have been carried out in accordance with the following drawings and documents:

The location plan referenced 25-100-DM1A received by the City Council as local planning authority on 11 March 2025

The drawings referenced:

25-101-DM2A (3 no. drawings)
25-102-DM4A

received by the City Council as local planning authority on 11 March 2025

The Design, Access and Heritage Statement prepared by ATG Theatre Group received by the City Council as local planning authority on 11 March 2025

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1, EN1, EN3, CC9 and SP1 and saved policies E3.3, DC14.1 and 14.5, DC18.1 and DC19.1 of the Unitary Development Plan.

3) Notwithstanding the information shown on the drawings hereby approved, prior to the installation of the new front signage tray on the existing back tray, a physical sample of the material, finish and colour treatment shall be submitted to and approved by the City Council as local planning authority. The front signage tray shall then be installed fully and only in accordance approved sample.

Reason - In the interests of visual amenity and because the proposed works affect a building that is included in the Statutory List of Buildings of Special Architectural or Historic Interest so careful attention to building work is required to protect the character and appearance of this building in accordance with policies SP1, CC9, EN1, EN 3 and DM1 of the Adopted Core Strategy for the City of Manchester, the Design and Principle of the Guide to Development in

Manchester SPD and saved policies DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Condition(s) to be attached to decision for approval 142259/AO/2025

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 have been carried out in accordance with the following drawings and documents:

The location plan referenced 25-100-DM1A received by the City Council as local planning authority on 11 March 2025

The drawings referenced:

25-101-DM2A (3 no. drawings)
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Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1, EN1, EN3, CC9 and SP1 and saved policies E3.3, DC14.1 and 14.5, DC18.1 and DC19.1 of the Unitary Development Plan.

3) The illumination levels of the illuminated signs hereby approved shall be limited to 200 cd/m² and lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties.

Reason - To not affect public safety, in particular highway safety in accordance with policies SP1, T1, T2 and DM1 of the Manchester Core Strategy (2012), saved policies DC14.1 and DC14.5 of the Unitary Development Plan for the City of Manchester (1995) and the NPPF.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Fourth Floor, 1 Hardman Square, Manchester, M3 3EB
8 Byrom Street, Manchester, M3 3BF
10 Byrom Street, Manchester, M3 3BF
1 Hardman Square, Manchester, M3 3EB
Eighth Floor, 1 Hardman Square, Manchester, M3 3EB
Third Floor, 1 Hardman Square, Manchester, M3 3EB
Tenth Floor, 1 Hardman Square, Manchester, M3 3EB
Eleventh Floor, 1 Hardman Square, Manchester, M3 3EB
Twelfth Floor, 1 Hardman Square, Manchester, M3 3EB
Fourteenth Floor, 1 Hardman Square, Manchester, M3 3EB
Ninth Floor, 1 Hardman Square, Manchester, M3 3EB
Second Floor, 1 Hardman Square, Manchester, M3 3EB
First Floor, 1 Hardman Square, Manchester, M3 3EB
Ground Floor, 1 Hardman Square, Manchester, M3 3EB
Seventeenth Floor, 1 Hardman Square, Manchester, M3 3EB
Store, 1 Hardman Square, Manchester, M3 3EB
Seventh Floor, 1 Hardman Square, Manchester, M3 3EB
Sixth Floor, 1 Hardman Square, Manchester, M3 3EB
Fifth Floor, 1 Hardman Square, Manchester, M3 3EB
Nineteenth Floor, 1 Hardman Square, Manchester, M3 3EB
Eighteenth Floor, 1 Hardman Square, Manchester, M3 3EB
Thirteenth Floor, 1 Hardman Square, Manchester, M3 3EB
Part Thirteenth And Mezzanine Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Thirteenth Floor Room 1B, Sunlight House, Quay Street, Manchester, M3 3LE
Third Floor, 15 Quay Street, Manchester, M3 3HN
First Floor, 15 Quay Street, Manchester, M3 3HN
Second Floor, 15 Quay Street, Manchester, M3 3HN
Suite 101 Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Fifth Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Fifth Floor, 15 Quay Street, Manchester, M3 3HN
Fourth Floor, 15 Quay Street, Manchester, M3 3HN
Eleventh Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
111 Sunlight House, Quay Street, Manchester, M3 3LE
Fourth Floor And Fifth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Thirteenth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Fifteenth And Sixteenth Floor, 1 Hardman Square, Manchester, M3 3EB
109 Sunlight House, Quay Street, Manchester, M3 3LE
1302 Sunlight House, Quay Street, Manchester, M3 3LE
Bannatyne Health Club And Spa, Sub Basement And Basement And Ground Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Pt Ground Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Rooms 625 627 And 629, Sunlight House, Quay Street, Manchester, M3 3LE
Suites 110 And 112 And 114, Sunlight House, Quay Street, Manchester, M3 3JZ
Suite 114, Sunlight House, Quay Street, Manchester, M3 3JZ
624 - 628 Sunlight House, Quay Street, Manchester, M3 3LE
Suite 106, Sunlight House, Quay Street, Manchester, M3 3JZ
Room 1301, Sunlight House, Quay Street, Manchester, M3 3LE
Second Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
Ground Floor, 15 Quay Street, Manchester, M3 3HN

1 Little Quay Street, Manchester, M3 3JU
First Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
1 Byrom Place, Manchester, M3 3HG
The Blues Kitchen, 13 Quay Street, Manchester, M3 3HN
Sunlight House, Quay Street, Manchester, M3 3JZ
Third Floor, Sunlight House, Quay Street, Manchester, M3 3JZ
17 Quay Street, Manchester, M3 3HN
19 Quay Street, Manchester, M3 3HN
Thirteenth Floor Maintenance Room, Sunlight House, Quay Street, Manchester, M3 3LE
Sixth Floor Room 631, Sunlight House, Quay Street, Manchester, M3 3LE
Room 614, Sunlight House, Quay Street, Manchester, M3 3JZ
5 - 7 Byrom Street, Manchester, M3 4PF
Seventh Floor, Sunlight House, Quay Street, Manchester, M3 3LF
Eighth Floor, Sunlight House, Quay Street, Manchester, M3 3LU
15 Quay Street, Manchester, M3 3HN
Suite 608 Part Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Suite 102A Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Suite 603 Part Sixth Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Suite 202 Second Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Suite 201 Second Floor, Sunlight House, Quay Street, Manchester, M3 3LE
Suite 102B Part First Floor, Sunlight House, Quay Street, Manchester, M3 3LE

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 - Deansgate Conservation Area 1985
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CENTRAL