



Planning Statement

58-66 MARKET STREET, MANCHESTER, M1 1PW

Display of advertisement signage comprising individual illuminated channel letters mounted on either side of the central pillar, and Alubond masked LED to the building entrance surround in telegrey

April 2025

Prepared By:

The Leith Planning Group,
4 The Crossroads Business Park,
Freckleton Street,
Kirkham,
Preston,
PR4 2SH
T: 01253 795548
E: sam@theleithgroup.co.uk
www.theleithgroup.co.uk

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Appendix 4 – Appeal Decision Letter - **APP/B4215/Z/24/3340905**

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1.0 INTRODUCTION

Instructions

- 1.1 Leith Planning Ltd has been instructed by Mr. Hrvoje Haramincic of Museum of Illusions Ltd to prepare and submit a formal advertisement application for signage to be displayed at 58-66 Market Street, Manchester, M1 1PW. This application has been developed following careful consideration of the Planning Inspector's decision in respect of appeal APP/B4215/Z/24/3356414 and aims to address the reasons for refusal raised in the previous application 140752/AO/2024.

Description of Development

- 1.2 The description of development for this proposal is as follows:

“Display of advertisement signage comprising individual illuminated channel letters mounted on either side of the central pillar, and Alubond masked LED to the building entrance surround in telegrey at 58-66 Market Street, Manchester, M1 1PW”

- 1.3 The proposal has been designed to preserve the architectural detailing of the central pillar of the building, which was identified as a key concern in the Planning Inspector's appeal decision (APP/B4215/Z/24/3356414), while providing appropriate and effective signage. The design comprises individual illuminated channel letters mounted on either side of the central pillar within a 90cm fascia zone, with the Museum of Illusions logo at 55.51cm in height and the lettering at 37.29cm in height, thereby maintaining the visibility of all three decorative pillars. The letters will be affixed to an aluminum channel (raceway) in the color of the facade. The proposal also includes Alubond masked LED to the building entrance surround with the colour changed from anthracite gray to telegrey for the Museum of Illusions.

Background and Site Context

- 1.4 The application site is located on Market Street in Manchester city centre, within the Upper King Street Conservation Area. The premises comprise a ground floor entrance to the first-floor unit and the associated first floor unit of 58-66 Market Street, located on a major pedestrianised street that sees significant footfall and is considered to be the main commercial street in Manchester City Centre.

- 1.5 The building features distinctive architectural detailing, including a central pillar with decorative elements which contribute to the character and appearance of the Conservation Area. This architectural detailing is consistent across the Market Street elevation of the building. The stone banding forms an obvious and historic fascia to this property.
- 1.6 The premises have operated as a shop for an extended period of time, most recently occupied by Sports Direct. The ground floor of the building is currently occupied by Tesco Metro and has been occupied by this operator for an extended period of time. The surrounding uses are predominantly retail.
- 1.7 The site is located within the Upper King Street Conservation Area. There are no listed buildings within the nearby vicinity of the Market Street elevation of 58-66 Market Street.

Application Submission Documents

- 1.8 The advertisement application has been supported with the following documents:
- Planning Statement
 - Location Plan
 - MOI Manchester – Storefront signages

2.0 PLANNING HISTORY

2.1 The relevant planning history for the site is as follows:

Application Ref: 140752/AO/2024 & APP/B4215/Z/24/3356414

Description of Development: Retention of 1no. illuminated lettering and logo sign mounted on reconstructed facade, and the retention of 1no. Alubond masked LED to building entrance.

Decision: Refused

Decision date: 7th October 2024; Appeal dismissed 21st February 2025

Application Ref: 139588/AO/2024

Description of Development: Installation of 2no. illuminated box fascia signs, illuminated Alubond masked LED to the entrance, and 1no. projecting illuminated blade sign.

Decision: Split decision - projecting sign approved, all other elements refused

Decision date: 11th June 2024

Application Ref: 139400/FO/2024

Description of Development: Flexible change of use of the ground floor entrance area and associated first floor level from Class E(a) Retail to flexible use between Class E(a) Retail and Class F1(c) Museums, together with the installation of a new ground floor shopfront. Retention of Class E(a) Retail use for the rest of the building.

Decision: Approved

Decision date: May 2024

- 2.2 The most recent application (ref: 140752/AO/2024) was refused consent on 7th October 2024. The decision notice can be found in **Appendix 1**. The reason for refusal stated:

"The signage, by virtue of its siting, design and appearance, fails to respond positively to the style, character, architectural language, and quality of the existing building and its historical shop frontage. The design and appearance also considered fails to preserve or enhance the character of the Upper King Street (Extension) Conservation Area and therefore detracts from the historical setting and significance of this conservation area. The signage would have an unduly harmful impact on the visual amenity and the character of the local area and would be contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, policies SP1, CC9, EN1, EN3, and DM1 of the Manchester Core Strategy (2012), saved policies DC14 and DC18 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Policy JP-P2, and the National Planning Policy Framework."

- 2.3 A subsequent appeal (PINS: APP/B4215/Z/24/3356414) was dismissed on 21st February 2025. The Appeal decision is attached in **Appendix 2**. Within the appeal decision, the Inspector identified that the main harm from the proposal arose from the solid panel *"cutting right across the detailing on the central pillar"* which *"would obscure architectural detailing on the building"* and *"would harm the significance and therefore the character and appearance of the Conservation Area"* (Paragraphs 4 and 13).
- 2.4 Importantly, the Inspector confirmed there were no concerns regarding public safety and noted that *"there would be no adverse impact upon amenity as a result of the installation of the Alubond masked LED to the building entrance surround in Grey"* (Paragraph 14).
- 2.5 The Inspector stated: *"Many of the buildings incorporate interesting detailing and this contributes positively to the significance of the Conservation Area forming one of the defining features of its character and appearance"* (Paragraph 11). Further, the Inspector observed that *"Although the ground floor frontages to the building may be modern, the pillars and detailing through their materials, unity of design and repetition make a positive contribution to the significance and therefore the character and appearance of the Conservation Area"* (Paragraph 12).

- 2.6 A previous advertisement application (ref: 139588/AO/2024) received a split decision on 11th June 2024, with the projecting illuminated blade sign approved but the illuminated box fascia signs and Alubond masked LED to the entrance refused consent. The reason for refusal was similar to that of the subsequent application. The decision notice of 139588/AO/2024 can be found in **Appendix 3**.

3.0 Pre-application Response

3.1 In advance of the submission of this advertisement application, a formal pre-application enquiry was submitted to Manchester City Council on 13th March 2025 to consider the acceptability of revised signage proposals. The formal pre-application response was received on 11th April 2025.

3.2 The council in its response summarised the key considerations required for the proposed development. The Case Officer identified several key elements that would need to be addressed to create acceptable signage for the site:

Stone Panelling

3.3 *Pre-application advice states:*

"Previously, I had advised the applicant that a stone effect backing panel, that would fit in well with the surrounding stonework, would be most preferable, as this would maintain a consistent visual appearance across the elevation."

3.4 **Comment:** We have carefully considered this recommendation, but it should be noted that there has never been stone panelling at fascia level on this building, and it is not part of the building's historical architectural design or appearance. The introduction of a stone effect panel would therefore represent an architectural addition that has not historically been present on the building. If a stone effect backing panel is considered to respect the architectural form of the building and shopfront, then it is our understanding that this would have been incorporated when the buildings were refurbished/redeveloped. We trust our proposed signage, which focuses on preserving existing architectural features while providing appropriate business identification, represents a more authentic approach to respecting the building's character.

Individual Letters

3.5 *Pre-application advice states:*

"Then, to have individual letters placed on this stone effect backing panel."

3.6 **Comment:** Our proposed design preserves the architectural integrity of the building through the use of individual illuminated channel letters. This approach complies with Policy DC14.5 of the UDP, which states that *"on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs."*

The letters are sized appropriately to be readable but not dominant, and the materials and illumination have been selected to be sympathetic to the commercial character of the area. Unlike the previously refused box fascia signs, individual letters allow for a more subtle and respectful approach to signage on this historic building.

Full Visibility of the Central Pillar and its Architectural Detail:

3.7 *Pre-application advice states:*

"I have looked at all three proposals and they seemed broadly similar to what we refused under 139588/AO/2024."

"The City Council would be looking for something that fits in with the architecture of the building. Saved Unitary Development Plan Policy DC14 that requires development for signage to respect the architectural form of the building and shopfront."

"The proposals put forward break up the architectural appearance of the building at the fascia level. The City Council would be looking for something in size, design and material that would be sympathetic to the building at large."

"As well as the appeal that was dismissed for the current signage at the application site, an appeal was dismissed for Nationwide (138281/AO/2023) for similar reasons, namely the signage not fitting in with the architecture of a building within the conservation area."

3.8 **Comment:** We acknowledge the Case Officer's initial assessment but would respectfully suggest that our current proposal incorporates fundamental design changes that specifically address the Planning Inspector's concerns from the dismissed appeal. The key difference in this approach is that unlike previous submissions, the current design preserves the central pillar's architectural detailing through the placement of signage elements.

3.9 The Planning Inspector identified that the main harm from the previous proposal arose from the solid panel *"cutting right across the detailing on the central pillar"* which *"would obscure architectural detailing on the building"* and *"would harm the significance and therefore the character and appearance of the Conservation Area"* (Appeal Decision APP/B4215/Z/24/3356414, Paragraphs 4 and 13).

- 3.10 Rather than *"breaking up the architectural appearance"* as suggested, our proposed design ensures that the central pillar and all its architectural detailing remain completely visible and unobstructed. The individual illuminated channel letters, with the Museum of Illusions logo at 55.51cm in height and the lettering at 37.29cm in height, are proportionally sized within the 90cm fascia zone and positioned on either side of the central pillar. These letters will be attached to an aluminum channel (raceway) in the colour of the facade. This approach maintains a clear visual separation between the signage elements and ensures that all three pillars and their architectural detailing remain completely visible. The split fascia design combined with changing the colour of the entrance surround from anthracite gray to telegrey creates a more cohesive and sympathetic relationship with the building's stonework. This design responds to the reason for dismissal of the appeal and ensures that all architectural detailing that contributes to the character of the Conservation Area is not only preserved but enhanced.
- 3.11 Regarding the reference to the Nationwide appeal decision (138281/AO/2023), it is noted that this property is located at 74-76 Market Street, which is within the same Conservation Area (Upper King Street Conservation Area) as our application site.
- 3.12 However, it is noted that each application must be determined on its own merits and according to site-specific considerations. The Nationwide appeal was dismissed because, as the Inspector noted (as attached in Appeal decision letter APP/B4215/Z/24/3340905 in **Appendix 4**), *"the fascia that has been erected offers no concessions to the fact that it is displayed in the CA"* and was *"a large, mostly featureless, sign that takes no cues from either the CA or the building on which it is located"* (paragraph 10). Furthermore, the Nationwide fascia was finished in a bright blue aluminium that was unsympathetic to the Conservation Area's character.
- 3.13 In contrast, our proposal avoids a solid fascia panel entirely and instead uses individual illuminated channel letters positioned on either side of the central pillar, directly preserving the architectural detailing that contributes to the Conservation Area's character. Additionally, our proposal employs a more subservient colour scheme that harmonizes with the stone colour of the building, further ensuring the signage complements rather than dominates the historic facade. This approach addresses the Inspector's concerns in our site's previous appeal decision (APP/B4215/Z/24/3356414) about preserving architectural features and demonstrates a more sensitive approach to signage within the Conservation Area.

Reference to St Ann's Square Example:

3.14 Pre-application advice states:

"The signage approved at Rolex/David M Robinson on St Ann's Square show a good example of stone effect panels."

3.15 **Comment:** The referenced example at 24 St Ann's Square (Rolex/David M Robinson) is located within a different Conservation Area (St Ann's Square Conservation Area rather than Upper King Street Conservation Area). The context differs significantly as the St Ann's Square property is adjacent to listed buildings, whereas our site is opposite the Arndale Centre in a more contemporary commercial setting. The architectural character and context of each conservation area varies, and approaches that are appropriate in one area may not be suitable for another.

3.16 The Inspector in the appeal decision noted that *'The buildings within this part of the Conservation Area on Market Street generally support frontages which incorporate commercial uses, primarily at ground floor level. The buildings are mixed in appearance and appear of varying ages.'* This description acknowledges the commercial nature of Market Street and the varied architectural styles present. Our approach respects the specific character of the Upper King Street Conservation Area while recognising the established commercial function of Market Street as distinguished from other areas such as St Ann's Square.

3.17 Based on the considerations above, we consider that our proposed Option 1 design represents the most appropriate solution that addresses the Planning Inspector's concerns while providing suitable signage for the Museum of Illusions. The proposal ensures full visibility of the central pillar and its architectural detail, utilizes individual letters in accordance with Policy DC14.5, and respects the specific architectural character of 58-66 Market Street within the context of the Upper King Street Conservation Area.

3.18 Given the specific context of this site and the clear design rationale that addresses the Planning Inspector's concerns, we consider that the proposed approach represents the most appropriate solution for the site. This application has therefore been prepared with the relevant and necessary plans to ensure it addresses the matters raised by the council and adheres to the provisions of the development plan.

4.0 NATIONAL PLANNING POLICY FRAMEWORK

- 4.1 The National Planning Policy Framework (NPPF) was last updated and published in December 2024. The Framework sets out the Government's planning policies for England and how these are expected to be applied positively and proactively to support sustainable development and economic growth.
- 4.2 It confirms that applications for planning permission must be determined in accordance with the Development Plan unless material considerations, including the Framework, indicate otherwise, and that due weight should be given to Development Plan policies according to their consistency with the Framework (Paragraph 49).
- 4.3 Paragraph 11 requires local planning authorities to apply the presumption in favour of sustainable development in their plan-making and decision-taking, with an increased emphasis on delivering housing and economic objectives.
- 4.4 Particular attention is drawn to the relevant sections of the national guidance deemed determinative to the application as submitted. These sections are listed below and included in full at Appendix 1, reflecting the updated paragraph numbering in the December 2024 NPPF:
- Section 12. Achieving Well-Designed Places
 - Section 16. Conserving and enhancing the historic Environment

Section 12. Achieving Well-Designed Places

- 4.5 **Paragraph 141.** *The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.*
- 4.6 **Comment:** Regarding amenity, the proposed signage has been carefully designed to preserve the quality and character of the Upper King Street Conservation Area. By positioning individual illuminated channel letters on either side of the central pillar, the design ensures that the architectural detailing remains visible, thus maintaining the visual amenity of the area. The proposal has been assessed in the context of existing commercial signage along Market Street and has been designed at an appropriate scale and illumination level that would not result in any adverse cumulative visual

impact. The modest nature of the individual letter approach, when viewed alongside neighbouring premises, maintains an acceptable overall street scene character that is appropriate for this commercial thoroughfare within the Conservation Area.

- 4.7 Regarding public safety, as confirmed by the Planning Inspector in the previous appeal decision APP/B4215/Z/24/3356414, there are no public safety concerns associated with the proposed signage.

Section 16 .Conserving and enhancing the historic Environment

- 4.8 **Paragraph 207.** *In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*
- 4.9 **Paragraph 208.** *Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.*
- 4.10 **Paragraph 210.** *In determining 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 positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - (c) the desirability of new development making a positive contribution to local character and distinctiveness*

- 4.11 **Comment:** The application site is located within the Upper King Street Conservation Area, which is a designated heritage asset. Through the Planning Inspector's decision on the previous appeal, the significance of the architectural detailing of the central pillar has been clearly identified as an important element that contributes to the character and appearance of the Conservation Area. Our proposal has been designed to preserve this significance by ensuring that the central pillar and its architectural detailing remain completely visible and unobstructed. The proposed signage makes a positive contribution to local character and distinctiveness by adopting a design approach that respects the architectural form of the building while providing appropriate identification for a cultural attraction that contributes to the city centre's vitality and economic sustainability.

NPPF SUMMARY

- 4.12 The proposed signage has been carefully designed to address the two key considerations identified in the NPPF for the control of advertisements: amenity and public safety. In terms of amenity, the design approach ensures that the architectural features that contribute to the significance of the Conservation Area are preserved, maintaining the visual quality and character of the area. Regarding public safety, as noted by the Planning Inspector in the previous appeal decision, there are no concerns associated with the proposed signage.
- 4.13 The proposal has been designed to address the concerns raised in the previous refusal and dismissed appeal, with particular attention paid to preserving the visibility of the central pillar and its architectural detailing. The use of individual illuminated channel letters positioned on either side of the central pillar, rather than a solid panel cutting across it, directly responds to the Planning Inspector's observations.
- 4.14 Overall, given the careful design approach and the protection of both amenity and heritage considerations, it is considered that the proposed development complies with the relevant policies contained in the NPPF, and advertisement consent should therefore be granted.

5.0 ADOPTED DEVELOPMENT PLAN

- 5.1 This section of the statement provides an overview of the local planning policies that are of relevance to the proposed development, and the determination of this application.
- 5.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the Development Plan is the starting point for the determination of any application. An application must be determined in accordance with the adopted Development Plan unless material considerations indicate otherwise. Applications which accord with the Development Plan, should be approved without delay.
- 5.3 The site is located within the authority of Manchester City Council, and due regard has therefore been taken for to the provisions of the following documents that form to Local Development Scheme, in relation to the proposed development:
- Places for Everyone Joint Development Plan for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan 2022 to 2039 (Adopted in March 2024)
 - Addendum to Manchester Core Strategy 2024 (Adopted in March 2024)
 - Core Strategy 2012-2027 (Adopted in July 2012)
 - Extant (remaining) Unitary Development Plan policies (Adopted in 1995)
- 5.4 Following an extensive review of the adopted local policies, in addition to the advice received at the pre-application stage, we consider the below listed policies to hold the upmost relevance to this site and proposed development, namely.

Places for Everyone Joint Development Plan (2024)

- Policy JP-P2: Heritage.

Core Strategy 2012-2027 (2012)

- Policy DM1: Development Management.
- Policy SP1: Spatial Principle.
- Policy CC9: Design and Heritage.
- Policy EN1: Design Principles and Strategic Character Areas.
- Policy EN3: Heritage.

Unitary Development Plan (1995)

- Policy DC14.5: Shops and Related Signs.

Places for Everyone Joint Development Plan (2024)

Policy JP-P2 (Heritage)

- 5.5 *This policy aims to proactively manage and work with partners to positively conserve, sustain and enhance historic environments 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. Local Plans will set out the key elements which contribute to the district's identity, character and distinctiveness and which should be the priority for conserving and enhancing. The policy requires development proposals affecting a designated heritage asset and a conservation area to conserve those elements which contribute to its significance. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.*
- 5.6 **Comment:** The proposed signage fully complies with Policy JP-P2 by ensuring complete preservation of elements that contribute to the significance of the Upper King Street Conservation Area. By positioning individual illuminated channel letters on either side of the central pillar rather than obscuring it with a solid panel, the design specifically addresses the Planning Inspector's concerns in the previous appeal decision. The architectural detailing that was identified as making *"a positive contribution to the significance and therefore the character and appearance of the Conservation Area"* (Para 12 of Appeal Decision) remains completely visible. Furthermore, the proposal supports the economic vitality of the area by providing appropriate signage for a cultural attraction (Museum of Illusions) that will enhance public enjoyment and understanding of the city centre.

Core Strategy 2012-2027 (2012)

Policy DM1 (Development Management)

- 5.7 *All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-*
- *Appropriate siting, layout, scale, form, massing, materials and detail.*

- *Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.*
- *Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.*
- *Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.*
- *Community safety and crime prevention. Design for health.*
- *Adequacy of internal accommodation and external amenity space. Refuse storage and collection.*

5.8 **Comment:** The individual illuminated channel letters demonstrate appropriate siting, scale and appearance that fully respects Policy DM1. The signage is positioned at the traditional fascia level but carefully designed to preserve architectural detailing. The letters are proportioned to be legible without dominating the frontage, with high-quality materials and illumination levels that are sympathetic to the commercial character of Market Street. Unlike the previously refused box fascia approach, this design avoids any adverse impact on the surrounding area by maintaining the architectural rhythm of the building elevation. The proposal therefore satisfies the requirements for appropriate design that respects the character of the surrounding area.

Policy SP1 (Spatial Principle)

5.9 *The key spatial principles which will guide the strategic development of Manchester to 2027 are:*

- *The Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living.*
- *The growth of Manchester Airport will act as a catalyst for the regional economy, and will also provide the impetus for a second hub of economic activity in this part of the City.*
- *Beyond these areas, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the*

North Manchester , East Manchester and Central Manchester Regeneration Areas.

- The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.*
- The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved.*
- New development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport. The extension to the Metrolink network through the Oldham and Ashton lines will create key corridors for new development.*

Core Development Principles

Development in all parts of the City should:-

- Make a positive contribution to neighbourhoods of choice including:-*
 - creating well designed places that enhance or create character.*
 - making a positive contribution to the health, safety and wellbeing of residents*
 - considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.*
 - protect and enhance the built and natural environment.*
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.*
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.*

5.10 **Comment:** The proposed signage directly supports Policy SP1's requirements to create well-designed places that enhance character and protect the built environment. By preserving the architectural features that contribute to the building's character, the proposal maintains the historic quality of this part of the city centre. The signage supports the Regional Centre's role as a focus for commercial and cultural activity by

providing identification for a museum that contributes to the diversity of city centre uses. The design approach clearly demonstrates how protecting heritage assets can be balanced with supporting economic vitality, creating a solution that enhances rather than detracts from the building's character.

Policy CC9 (Design and Heritage)

- 5.11 *Design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context and character.*

Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

The Council will support high density and mixed use development in the City Centre, but developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

- 5.12 **Comment:** The proposal demonstrates full compliance with Policy CC9 by achieving the highest standard of design in terms of both appearance and function. The approach directly preserves the identified heritage asset (Upper King Street Conservation Area) by ensuring the architectural detailing of the central pillar remains entirely visible. The individual illuminated channel letters represent a sophisticated design solution that effectively identifies the business while respecting the historic character of the building. This stands in stark contrast to the previously refused solid panel that obscured architectural features. The proposal contributes to a coherent physical environment by respecting the architectural language of the building.

Policy EN1 (Design Principles and Strategic Character Areas)

- 5.13 *All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Design and Access*

Statements submitted with proposals for new development must clearly detail how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives.

1. City Centre Character Area

The City Centre contains a rich legacy which reflects its urban evolution to the current day and includes listed buildings, conservation areas, archaeological remains and an historic street pattern. Its core area presents a particularly dense environment that accommodates a wide and closely integrated range of uses including commercial, civic and residential activities. Relative to the amount of development there is limited open space and this includes a range of civic and less formal green spaces and waterways. Outside the core and associated with the Inner Relief Route there are less active and less densely developed areas with significant elements of cleared land. The City Centre is the focus of the City's transport routes.

- Developers will be expected to consider the City's heritage and continue the rich pattern of activity in the core area.*
- While there will be opportunities to create landmark buildings, developments should also contribute positively to the experience of all at street level.*
- Wherever possible the opportunity should be realised to enhance existing and provide new areas of meaningful open space, and the maintenance and improvement of the City's permeability should be considered in all proposals.*

5.14 **Comment:** The proposed signage fully addresses Policy EN1's requirement to consider the City's heritage and historic street pattern. The design has been developed with careful consideration of the specific architectural character of 58-66 Market Street and its contribution to the Upper King Street Conservation Area. By positioning the individual letters on either side of the central pillar, the proposal preserves the visibility of historic features that make a positive contribution to the area. The approach demonstrates urban design principles including respect for local character, legibility, and adaptability. The signage will enhance the appearance of this street-level frontage on Market Street, a major pedestrian route within the city.

Policy EN3 (Heritage)

- 5.15 *Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.*

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

- 5.16 **Comment:** The proposal directly supports Policy EN3 by preserving the historic environment through a design approach that complements rather than obscures architectural features. The Planning Inspector's decision on the previous appeal clearly identified the central pillar's architectural detailing as significant to the character of the Conservation Area. By ensuring this remains completely visible, the proposal preserves those elements of acknowledged importance. The design represents a sensitive approach to integrating contemporary commercial needs with heritage conservation, enabling the effective reuse of the heritage asset for cultural purposes while preserving its significance.

Unitary Development Plan (1995)

Policy DC14.5 (Shops and Related Signs)

- 5.17 *The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. In determining such applications, the Council will adopt the following policies:*

A. In the interests of amenity,

a. signs should not normally be positioned other than at fascia level;

b. signs should respect the architectural form of buildings and shop frontages;

c. where no obvious fascia level exists, signs above shopfronts should be in keeping with the scale of the frontage of the building and in particular should not fill the gap between ground floor shop windows and first floor windows;

d. projecting box signs, or any other type of sign which projects significantly beyond the shopfront, should line up with the associated fascia board. Where this is not the case, such proposals will not be permitted;

e. the Council will normally permit only one projecting box sign for each shop unit. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs;

f. fixed canopies mounted above fascia level or which obscure the fascia or shopfront will not normally be permitted, unless within a structural opening; g. long canopies which ignore the architectural form of frontages will not normally be permitted.

B. In the interests of public safety.

h. any sign which is detrimental to the safety of pedestrians or motorists will be refused;

i. all canopies, blinds and awnings should provide a minimum clearance of 2.3 metres above the footpath.

5.18 **Comment:** The proposed signage demonstrates exemplary compliance with Policy DC14.5 in several key aspects: (1) it is positioned at fascia level as required by clause a; (2) it respects the architectural form of the building and shopfront by preserving the visibility of the central pillar and its detailing as required by clause b; and (3) it employs individually mounted letters which are specifically preferred by clause e for buildings within Conservation Areas. The previous refusal involved box fascia signs that obscured architectural features; this proposal represents a significant improvement by allowing the building's architectural character to remain visible. The design therefore fully addresses the precise requirements of this saved policy.

5.19 In summary, the proposed signage fully complies with all relevant Development Plan policies. By positioning individual illuminated channel letters on either side of the central pillar rather than across it, the design preserves the architectural detailing that the Planning Inspector identified as contributing to the character of the Upper King Street Conservation Area. This approach directly addresses Policy JP-P2's requirement to conserve heritage elements, satisfies Policies DM1, SP1, CC9, and EN1's design standards for respecting architectural form, and adheres to Policy

DC14.5's specific preference for individually mounted letters in Conservation Areas. The proposal achieves an effective balance between providing necessary commercial identification for the Museum of Illusions while ensuring the building's significant architectural features remain visible and unobstructed, thereby supporting the cultural and economic vitality of Manchester city centre.

6.0 OTHER MATERIAL CONSIDERATIONS

- 6.1 Where there are other material considerations which “indicate otherwise”, the development plan should nevertheless be the starting point, with those other material considerations weighed in reaching a balanced decision. The issues involved are dealt with in the decision of the House of Lords in *City of Edinburgh Council v Secretary of State for Scotland* [1998] J. P. L. 224, HL. Material considerations can weigh both in favour and against the grant of consent.
- 6.2 It was held in *Westminster City Council v Great Portland Estates* [1985] A.C. 661 that whilst town and country planning was in general concerned with the development and use of land rather than circumstances of particular occupiers, there might be exceptions where the circumstances of a business occupier are of value to the community and so may be a relevant material consideration. In this instance, it is considered that the investment (both direct and indirect investment) and the improvements in terms of accessibility to this location will provide value to the local community in delivering an active frontage on the street, which should be accorded weight in the determination of this application.
- 6.3 In the case of this proposal, it has been demonstrated within sections 4 and 5 to be wholly compliant with the NPPF and adopted development plan. The following material considerations are also in favour of the proposal and would be material in the determination of any application.

Appeal decision

- 6.4 The Planning Inspector's appeal decision (APP/B4215/Z/24/3356414) provides an indication of the key considerations for appropriate signage at this location. The Inspector identified that the main harm from the previous proposal arose from the solid panel *"cutting right across the detailing on the central pillar"* which *"would obscure architectural detailing on the building."*
- 6.5 Our proposed design directly responds to this concern by ensuring that the central pillar and its architectural detailing remain completely visible. The Inspector also noted that *"there would be no adverse impact upon amenity as a result of the installation of the Alubond masked LED to the building entrance surround in Grey,"* which supports our approach to the entrance surround element of the proposal.

- 6.6 The Inspector's observations about the character of the area, noting that *"The buildings within this part of the Conservation Area on Market Street generally support frontages which incorporate commercial uses, primarily at ground floor level,"* acknowledges the commercial nature of Market Street and provides context for appropriate signage design in this location.

Decision Making: Weighting Material Considerations

- 6.7 In reaching a decision on an application there is inevitably a balancing-exercise to be carried out. The phrases "overall advantage" and planning balance reflects this balance; ultimately the decision-maker must attach what weight they consider appropriate to the material considerations in question. The so called "overall advantage" or planning balance is nothing more than the weighing of often disparate planning considerations so that it can be said the advantages outweigh the disadvantages, or the reverse.
- 6.8 Whether a consideration is material and the weight that it to be placed on it is ultimately a matter for the decision-maker. We have identified the above material considerations which weigh heavily in favour of the development proposed. As such, it is considered when viewing the Adopted Development Plan as a whole, and the material considerations there is a favourable case to be presented to the Local Planning Authority.

7.0 CONCLUSION

- 7.1 The Applicant is seeking advertisement consent from Manchester City Council for the following development:

"Display of advertisement signage comprising individual illuminated channel letters mounted on either side of the central pillar, and Alubond masked LED to the building entrance surround in telegrey at 58-66 Market Street, Manchester, M1 1PW"

- 7.2 The application seeks to secure advertisement consent for signage that has been specifically designed to address the concerns raised in the previous refusal and dismissed appeal. This application has been supported by the requisite plans and reports to allow a positive determination.

- 7.3 **National Policy:** For the reasons set out above, the proposed development complies with the provisions of the NPPF, particularly Paragraph 141 which states that *"Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts."* The proposal has been designed to respect the amenity of the area by preserving the architectural detailing of the building and the character of the conservation area. There are no public safety concerns associated with the proposal. The NPPF also emphasises the importance of sustaining and enhancing the significance of heritage assets (Paragraph 210), which this proposal achieves by ensuring that architectural features remain visible.

- 7.4 **Local Policy:** The scheme as submitted is deemed to be wholly consistent and compliant with the provisions of the Development Plan when read as a whole. The proposal aligns with policies supporting the preservation of heritage assets and the design of appropriate signage in conservation areas. The use of individual illuminated channel letters positioned on either side of the central pillar directly responds to Policy DC14.5 of the UDP, which states that *"on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs."*

- 7.5 In addition to complying with the provisions of the development plan as laid out at sections 4 and 5, there are other material considerations which weigh in favour of the grant of consent. These include the Inspector's observations in the appeal decision which provide clear guidance on the appropriate approach to signage at this location.

7.6 As an overview, it is clear that the overarching conclusions set against the policy context and material considerations for the proposed development create a compelling case for the approval of this advertisement consent application. The proposal satisfies the two key tests for advertisement consent: amenity and public safety, in accordance with both national policy in the NPPF and local policy requirements. Regarding amenity, the design ensures that the architectural detailing of all three pillars remains visible and unobstructed, with the individual illuminated channel letters appropriately proportioned - featuring the Museum of Illusions logo at 55.51cm in height and the lettering at 37.29cm in height, with total widths of 320.5cm and 351.46cm respectively. These letters will be mounted on an aluminum channel (raceway) in the colour of the facade. The split fascia design and the change of colour for the entrance surround from anthracite gray to telegrey harmonizes with the building's stone character while preserving the Upper King Street Conservation Area's appearance. In terms of public safety, as confirmed by the Planning Inspector in the previous appeal decision, there are no public safety concerns associated with the proposed signage. By addressing all of these key considerations, the proposal effectively resolves the previous reasons for refusal while providing appropriate and effective signage for the Museum of Illusions that complies with the provisions of the development plan when read as a whole.