

Planning

Growth & Development

Delegated officer report for planning application

Application no. 141268/LO/2024
Date registered valid: 25 October 2024
Proposal: Listed building consent for the retention of illuminated fascia sign and installation of illuminated flag sign.
Address: 48 King Street, Manchester, M2 4LG
Ward(s): Deansgate Ward

Applicant: Fao Company Secretary Belstaff International Ltd
Agent (if any): Mr James Walkington Paul Butler Associates
Case officer: Danielle Cooper
Tel: 0161 234 1658
Email: danielle.cooper@manchester.gov.uk

Recommendation: Approve
Date of recommendation: **18/12/2024**

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 30 October 2024

Standard consultations:

Printed: 30 October 2024 Expired: 20 November 2024

Neighbour notifications

Printed: 30 October 2024 Expired: 20 November 2024

Site notice

Posted: 30 October 2024 Expired: 20 November 2024

Press advert

Published: 5 November 2024 Expired: 26 November 2024

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: N/A

Description of area

This application relates to a Grade II Listed Building located at 48 King Street. The building is located in the St Anns Square conservation area. It is part of the settings of a number of other listed buildings and non-designated heritage assets and makes a positive contribution.

The building was constructed in the c.1870 on a narrow rectangular plot in red brick with sandstone dressing. The building is largely intact above ground floor, with original neo Gothic carving, elegant cast iron balconies and tall sash windows. To ground floor, the ornate carved pilasters with brackets supporting the moulded cornice, and stylised columns and spandrel panels to rear are of particular interest, with modern infill to the centre.

The shop front onto King Street is contemporary.

The building is positioned in the immediate setting of a number of listed buildings, including the Grade II listed Old Exchange, 33 King Street, 35 King Street and 54-56 King Street. Surrounding uses include bars, restaurants, hotels, residential accommodation, offices and law courts.

Description of development

Listed building consent for the retention of illuminated fascia sign and installation of illuminated flag sign.

The proposed fascia sign and flag sign is retrospective.

Following discussions with agent, the depth of the proposed flag sign has been reduced to 30mm.

The proposed paint works and small replacement of glass to the rear elevation are like for like replacements and therefore do not require listed building consent.

Consultations & Notification Responses

Conservation – no objection subject to revisions to make the projecting sign more slimline in appearance.

The application was advertised by site notice, the press and neighbour notification letters. No representations have been received.

Policy

The Manchester Core Strategy – Development Plan Document 2012-2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

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

The Unitary Development Plan for Manchester - For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC15 – Advertisements, Hoardings and Posters
- Policy DC18 – Conservation areas
- Policy DC19 – Listed Buildings

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and enhancing the historic environment

Other legislative requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the LBCA Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting.

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-P2 (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.

Issues

Principle

The proposed signage will respect the character and appearance of the listed building and conservation area and is therefore considered acceptable in principle.

Impact on Heritage Asset

The new fascia sign installed consists of individual letters which have a 30mm depth and will have a luminance of 300cd/m². The LPA welcome the use of individual letters and consider the new sign to be visually acceptable, as it would respect the character and appearance of the listed building and King Street conservation area.

The proposed projecting sign has been revised since the original submission to ensure it has a slimline appearance (30mm depth). The LPA consider the proposed projecting sign to be visually acceptable, keeping in character with the age of the building and as well as with the design of others installed at the other shop fronts along King Street. The proposed sign will consist of the brand logo which will be illuminated with a maximum luminance of 300cd/m².

Due to the retrospective nature of the application, a condition will be implemented to ensure the proposed revised flag sign is installed within the next 2 months, replacing the existing flag sign.

Conclusion

In light of the above assessment, the proposed new signage is considered acceptable, preserving the special interest and historic character of the Grade II listed building. On that basis, the proposal would meet the requirements set out in paragraphs 195, 201, 203, 205 and 207 of the NPPF, and planning policies SP1, EN3 and CC9 of the Core Strategy, saved UDP policies DC18 and DC19 and Places for Everyone Policies JP-p1 and JP-P2.

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

Officers have worked with the applicant/agent in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the application.

Condition(s) to be attached to decision for approval

1) The development hereby approved shall be carried out in accordance with the following drawings and documents:

The site location plan, ref: 23069-S100 (received 17/10/2024)

External façade, ref: 23069-F200 REV G (received 18/12/2024)

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

Heritage & Urban Design

Advertising Right BTinlink Outside 48, King Street, Manchester, M2 4LG
Third Floor, 39 South King Street, Manchester, M2 6DE
Second Floor, 39 South King Street, Manchester, M2 6DE
First Floor, 39 South King Street, Manchester, M2 6DE

Rear Part Ground First Second And Third Floors, 33 King Street, Manchester, M2 6AA
35 South King Street, Manchester, M2 6DE
1 - 3 St Ann's Passage, Manchester, M2 6AB
31 King Street, Manchester, M2 6AA
5 - 7 St Ann's Passage, Manchester, M2 6AB
52 King Street, Manchester, M2 4LY
Basement To First Floor, 33 King Street, Manchester, M2 6AA
39 South King Street, Manchester, M2 6DE
33 King Street, Manchester, M2 6AA
Ground Floor And First Floor, 1 - 3 St Ann's Passage, Manchester, M2 6AB
Basement, 1 - 3 St Ann's Passage, Manchester, M2 6AB
50 King Street, Manchester, M2 4LY
46 King Street, Manchester, M2 4LG

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - St Anns Square Conservation Area 1970
Area Team Boundary - Name: CENTRAL