MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	141402/AO/2024
Date registered valid:	29 October 2024
Proposal:	Retention of 1 x internally illuminated fascia sign and 1x internally illuminated projecting sign.
Address:	78 Deansgate, Manchester, M3 2FW
Ward(s):	Deansgate Ward
Applicant:	Simmons Bars
Agent (if any):	Bidwells
Case officer:	Jack Naven Tel: 0161 219 2095 Email: jack.naven@manchester.gov.uk
Recommendation:	Approved and Refused
Date of recommendation:	**23 December 2024**

Application Details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit: 8 November 2024

Standard consultations:
Printed: 1 November 2024 Expired: 22 November 2024

Neighbour notifications
Printed: 1 November 2024 Expired: 22 November 2024

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/Area

Listed building: Not applicable

Conservation area: Parsonage Gardens Conservation Area 1985

Tree Preservation Order: Not applicable

78 Deansgate forms part of a group of food and drink led commercial leisure units, within Deansgate, Manchester.

The application site formerly traded as 'The Botanist' and is neighboured by the commercial units occupied by 'Be at One and 'Roxy Ballroom'.

The site is located in a mixed-use, commercial urban area, which include many other entertainment, hospitality and leisure uses.

The application specifically relates to the units ground floor frontage onto Deansgate, a historically significant road that runs right through Manchester City Centre.

Whilst the premises in question is not listed, the site is located within the Parsonage Gardens Conservation Area and within the setting of the Grade II listed 62-66 Deansgate, located slightly further down Deansgate, and most importantly within the setting of the Grade II* listed Barton Arcade Chambers, 51 – 63 Deansgate.

Description of Development

The application seeks advertisement consent for the retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign.

Fascia signage would comprise two individually illuminated neon letter elements built into the a fascia board one which reads ‘Simmons’ and denotes the entrance to the unit, and another which reads ‘Cocktails, Dreams & Disco’, which sits on the opposite side. The fascia board spans almost the entire length of Deansgate.

The fascia board is turquoise in colour. The illuminated letters are coral pink in colour.

Whilst the covering letter attached to the application designates this as two fascia signs, as the fascia board is one built element, for the purposes of this application, the City Council considers it to be one fascia sign element.

The projecting sign is sited on the fascia sign, in line with the lettering built into the fascia sign, is 800mm in diameter and 75mm in depth/thickness.

The projecting sign matches the fascia sign in its turquoise colour. It also features coral pink individually illuminated neon letter elements, but with the addition of some turquoise individually illuminated neon letter elements.

Related Applications

105412/AO/2014/C1 - Installation of 1no. externally illuminated projecting sign and logo signage applied to awning.
Approved June 2014.

Consultations & Notification Responses

Highway Services – No objections but advised that luminance levels would have to be reduced to below 600cd/m2 as the original proposal showed levels above 600cd/m2. They advised that the signs comply with headroom and carriageway clearance requirements, and that as the projecting sign will extend over the adopted highway by 0.8m, this would
require a projection over license.

Environmental Health – No objections but advised a condition to control luminance.

Publicity - Neighbour notification letters were sent to surrounding properties. At the time of writing this report, no representations have been received because of this publicity.

Policy

Town and Country Planning (Control of Advertisements) Regulations 2007

(1) A 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 Adopted Core Strategy for the City of Manchester (2012)

Adopted on 11th July 2012 and the Key Development Plan Document in the Local Development Framework. It states that all new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents.

DM1 (Development Management) states that new development should have regard to more specific issues for which more detailed guidance may be given within supplementary planning documents. Issues include: the appropriate siting and appearance of development, the impact upon the surrounding area, the effects on amenity, accessibility, community safety and crime prevention, health, the adequacy of internal accommodation and amenity space and refuse storage/collection.

SP1 (Spatial Principle) states the key spatial principles which will guide the strategic development of Manchester together with core development principles. It is stated that developments in all parts of the city should create well designed places which enhance or create character, make a positive contribution to the health, safety, and well-being of residents, consider the needs of all members of the community, and protect and enhance the built environment. Further, development should seek to minimise emissions, ensure the efficient use of natural resources, reuse previously developed land wherever possible, improve access to jobs, services and open space and provide good access to sustainable transport provision.

CC9 (Design and Heritage) states that 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.

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

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

Paragraph 8.53 of the supporting text states that the City Centre has 14 conservation areas and numerous listed buildings. These are essential ingredients to the City's sense of place, providing aesthetic quality and strong references to the City's past, which will always be a central part of Manchester's character. Development which fails to respond to the opportunities that this context affords should not be supported.

The Unitary Development Plan (UDP) for the City of Manchester (1995)

DC14.1 (Shops and Related Signs) states that in determining applications relating to these premises for shop fronts, security grilles, advertisement signs, canopies and awnings, the Council will seek to ensure that proposals are in keeping with the character of the building and adjoining buildings, of adjoining shopfronts, where appropriate, and of the area within which the premises are located.

DC14.5 (Shops and Related Signs) states that 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. The policies relevant to this application are:

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 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.

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.

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 (2024)

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:

JP-Strat2 (City Centre) states that the role of the City Centre as the most significant economic location in the country outside London will be strengthened considerably. The City Centre will continue to provide the primary focus for business, retail, leisure, culture and tourism activity in Greater Manchester, but the increasingly important residential role of the City Centre will be expanded. It will be a priority for investment in development and infrastructure. This will include addressing current network capacity issues in the City Centre which will enable the future expansion of the rapid transit public transport network across Greater Manchester. Improvements in the public realm, walking and cycling facilities, and green infrastructure will help to enhance the local character and environmental quality of the City Centre so that it can rival city centres across the globe, enabling it to compete effectively at the international level for investment, businesses, skilled workers, residents and tourists. A broad range of commercial accommodation will be delivered, helping the City Centre to capture growth across key economic sectors. The new functions within the City Centre will be delivered in a way that complement, rather than displace the area's non-residential functions and will seek to protect and enhance the city centre's historic environment and assets.

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.

Shopfront and Signage Design Guide (2024)

The shopfronts and signage SPD sets out the detailed guidance for shopfront alterations and the display of signage in Manchester.

The SPD states that new signage should:
- be limited to one fascia signage or internal hanging signage per elevation;
- be located below the first-floor cills, unless there is historic evidence of signage above;
- have a maximum depth of 30mm;
- not be in the form of internally illuminated lightbox signage;
- not conceal, obscure or damage any elements or detailing of a shopfront that positively contribute to its appearance, historic interest and appreciation.

National Planning Policy Framework (NPPF) (2024)

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development".

It is a fundamental requirement of the NPPF that planning proposals contribute to the achievement of "sustainable development".

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.

Paragraph 141 states:

"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."

Section 16 (Conserving and Enhancing the Historic Environment) addresses how proposals that affect heritage assets should be considered.

Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation (para 189).

In determining applications, local planning authorities should take account of: 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. (para 210).

When considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to its conservation (and the more important the asset, the greater the weight should be), irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm (para 212).

Any harm to, or loss of, the significance asset (from alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional (para 213).

Where a proposal will lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 214)

Local planning authorities should look for opportunities for development in Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (para 219).

Other Legislation

Sections 66, and 72 of the **Listed Buildings and Conservation Areas Act 1990** require that special consideration is given to the preservation of the significant fabric and setting of listed buildings and conservation areas.

Issues

The main issues for consideration relate to the principle of the advertisements, as well as, in accordance with the advertisement regulations, the acceptability of the advertisements in terms of its impact upon visual amenity and upon public safety. In judging this, the provisions of the development plan and any other relevant factors, so far as they are material, must be taken into account.

It should be noted that this advertisement consent application only considers the retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign. Other external elevational alterations marked on the drawings require a separate planning permission for consent. Additionally, there is an awning in place that is different to the awning in place previously on The Botanist, which did have consent. Consent was not sought for this new awning or for the branded adverts on the barriers of the outside seating area, so the impact of these have no been assessed in this application.

The Principle of the Advertisements

The principle of the advertisements is considered to be acceptable in this case.

Fascia and projecting signs are considered to be appropriate in order to advertisement a commercial premises such as this, as long as there are appropriate places to site such external advertisements, which there are in the case of the building in question.

Additionally, a fascia and projecting sign were approved and in place, sited in the same locations, at this site since 2014 when the site was occupied by The Botanist.

Visual Amenity

Fascia Sign

The fascia sign located on the existing fascia board is considered to be sited in the correct location in the building. It would consist of individual letters and is not considered to be too bulky or overbearing such that it fits in with the architectural features of the in the overall host building.

The luminance is considered to be at acceptable levels to not impact in visual amenity and is in keeping with similar internally illuminated signage in the surrounding street scene. The individual neon letters in the fascia are considered to be relatively subtle in design and on balance is acceptable.

Signage in situ

Previous signage in place

Taking all these aspects into consideration, the installed fascia sign can therefore be supported on visual amenity grounds and in terms of impacts on setting of adjacent listed buildings and conservation areas.

Projecting Sign

In determining the acceptability of the projecting sign in terms of its impact on visual amenity, the Town and Country Planning (Control of Advertisements) Regulations 2007 state that the local planning authority shall take into account the material provisions of the development plan and any other relevant factors.

It clarifies that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

The siting of the proposed sign is considered to be acceptable. UDP policy DC14.5 states in part a) that “signs should not normally be positioned other than at fascia level” and in part d) that “projecting 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.”

The location of the proposed projecting sign would clearly line up with the primary individual letter signage that will be situated at fascia level behind the glazing and is therefore considered acceptable in regard to its siting.

The projecting sign that was previously in place at the unit when it was occupied by The Botanist was a slender hanging sign that was considered to be of a high-quality design that was sympathetic to the surrounding historic environment and was considered to enhance the setting of both the conservation area and nearby listed buildings, particularly the Grade II* Barton Arcade across the street.

The currently installed sign, by contrast, is considered to be a bulky incongruous feature which harms the setting of the surrounding historic environment and is detrimental to visual amenity.

The depth of the signage is 75mm, which is considered to be too bulky to be supported by the City Council. A depth of 30mm would be considered to be a much slender design that would align with the Shopfront and Signage Design Guide (2024).

The description of Parsonage Gardens conservation area notes, under the improvement and enhancement section, that shop signs and canopies are generally additions to the original design, and care should be taken to ensure that they do not conceal or compete with the architectural details of buildings.

It is the City Council’s view that the thickness of the sign would form an overly large, bulky and incongruous feature to the building that competes with the architectural details of buildings and fails to respond positively to the architectural language and character of both the building itself and the surrounding street scene. This would mean that the projecting sign is and is detrimental to visual amenity and contrary to Core Strategy policies SP1 (Spatial Principle) and DM1 (Development Management).

It is important to consider the impact of the good design of signage on the enhancement and preservation of affected heritage assets with the setting of the advertisements, as the visual amenity of poor-quality design signage, which this signage is determined to be on account of the bulky nature of the sign, can certainly impact efforts to enhance and preserve affected listed assets within the setting of the application site.

A slimmer profile projecting sign would as with the previously slim sign on the unit contribute towards such enhancement and preservation. The City Council considers that the bulky nature of the proposed signage would fail to enhance or preserve the listed buildings that the development is considered within the setting of.

In this regard, the projecting sign would be considered to be contrary to Core Strategy Policies CC9 (Design and Heritage), EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), and JP-P2 (Heritage).

CC9 (Design and Heritage) advises that development in Manchester should preserve or enhance the heritage assets affected. The detrimental visual amenity impact caused by the bulky projecting sign is not considered to preserve or enhance the heritage assets affected.

EN1 (Design Principles and Strategic Character Areas) advises that developers will be expected to consider the City's heritage, including its listed buildings. The detrimental visual amenity impact caused by the bulky projecting sign is considered to cause unnecessary harmful visual impact upon the heritage assets within the settings that have been listed above.

EN3 (Heritage) advises that developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment. The detrimental visual amenity impact caused by the bulky projecting sign is not considered to preserve or enhance the historic environment, specifically within the setting of listed heritage assets.

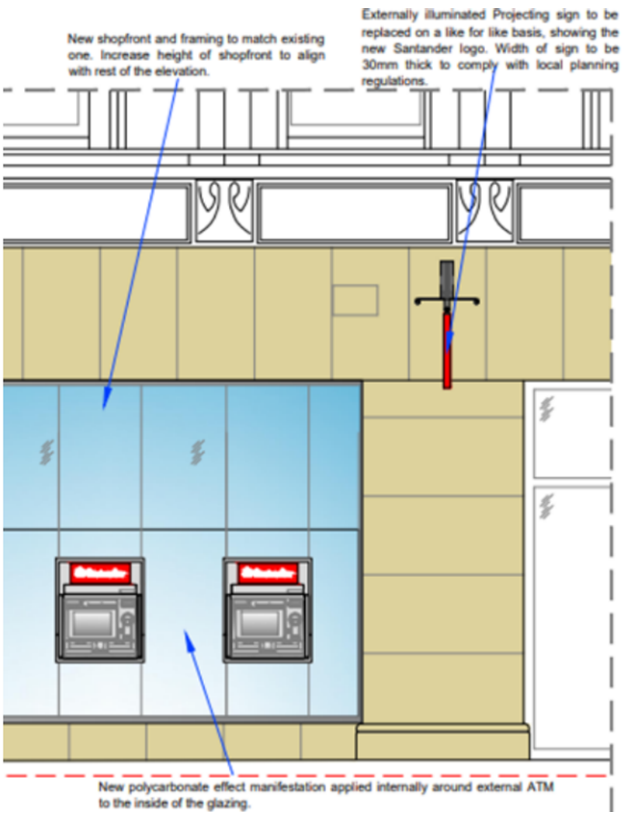
Places for Everyone policy JP-P2 (Heritage) states an aim for developments to positively conserve, sustain and enhance its historic environment and heritage assets and their settings.

In addition, paragraph 210 of the NPPF, located in Section 16, advises that in determining applications, local planning authorities should take account of “the desirability of sustaining and enhancing the significance of heritage assets’ and ‘the desirability of new development making a positive contribution to local character and distinctiveness”

The detrimental visual amenity impact caused by the bulky projecting sign is not considered to positively conserve, sustain and enhance the historic environment and heritage assets mentioned above and their settings.

The position of the Local Planning Authority of approved 30mm projecting signs within conservation areas and on listed buildings in recent years has been consistent.

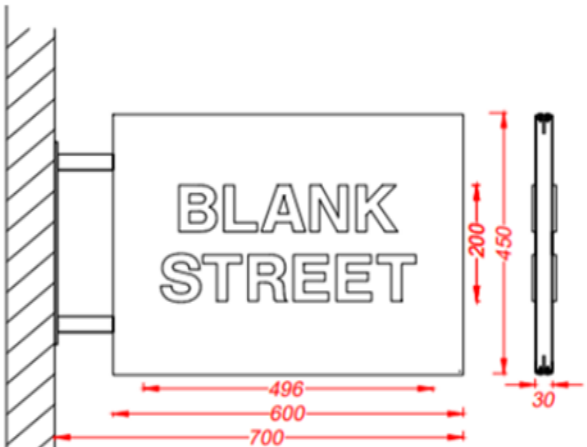
These include the two projecting signs at Santander, at 28/34 Cross Street, M2 7AQ, which is a listed building. These projecting signs are 30mm thick, externally illuminated and were approved under 133452/AO/2022 and 133467/LO/2022.



Approved drawing of 30mm projecting sign at 28/34 Cross Street

Santander projecting sign in situ

Similarly, signs approved earlier this year at 62 Cross Street, on a listed building, were approved at 30mm depth under applications 138810/AO/2023 and 138813/LO/2023 in January 2024.



Projecting sign - 2 off
Scale 1:10
Folded and welded 2mm aluminium panels are finished light green RAL 6021 satin.
Flat cut 8mm aluminium letters are finished white satin and are bonded to the panel faces.
Panels are fixed around a steel inner frame which is welded to a pair of 26.9Ø CHS steel arms with a welded wall plate which are finished light green RAL 6021 satin.
Non illuminated.

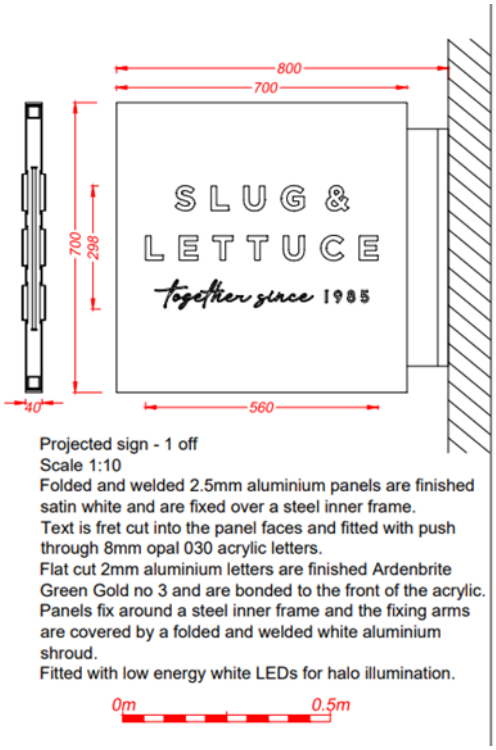
Approved drawing of 30mm projecting sign at 62 Cross Street

Blank Street Coffee projecting sign in situ

Application 136067/AO/2023, approved in April 2023 at 95-97 Deansgate, saw the installation of projecting signs of 30mm depth at a location on Deansgate, within a conservation area, within the setting of listed buildings.

Approved projecting sign at 95-97 Deansgate

Application 135542/AO/2022, approved in January 2023 for the Slug and Lettuce at 64-66 Deansgate, which is only located a few commercial units down from the application site and is located within the same conservation area and within the setting of the same historic environment, had an approved depth of 40mm, which is significantly slimmer than the depth of 75mm on the projecting sign in situ at the application site.



Approved projecting sign at 64-66 Deansgate

The approval of this projecting sign, at 40mm depth, predates the adoption of the Shopfront and Signage Design Guide (2024).

Whilst the covering letter accompanying the application makes mention of a planning inspectorate decision (APP/B4215/Z/24/3337742) related to a projecting sign approved at 201 Deansgate (but refused by the LPA), each application is judged on its own individual merit and notwithstanding that the Inspector took a different view from the LPA, the circumstances are different.

Deansgate is a long road that cross through various different conservation areas with different characters and surrounding street scenes. The retention of this projecting sign must be judged

by its failure to preserve or enhance its specific local historic environment. It is located in a different conservation area, within the setting of entirely different listed buildings.

Additionally, the decision of the planning inspectorate, made in early 2024, did not have the benefit of taking into account the adoption of the Shopfront and Signage Design Guide (2024), SPD which specifies the 30mm depth of signage. Had this SPD been adopted prior to the refusal of this application or to the decision of the appeal, the outcome of the inspectorate's decision might have been different. The adoption of this SPD since the inspectorate's decision was taken is considered to be an important factor to take into account when determining this application.

Projecting Sign Conclusion

Despite the appropriate siting of the projecting, the issue of the thickness of the projecting sign is considered for the reasons outlined to be unacceptable. The proposed projecting sign cannot be supported due to its impact upon visual amenity and particularly the visual amenity impact upon the setting of listed buildings and the conservation area within which the application site sits. It is not considered that the introduction of this signage will respond positively to the architectural language and character of both the building itself and the surrounding street scene, it would be detrimental to visual amenity and would fail to preserve or enhance either the conservation area or adjacent listed buildings which means that the proposed signage is contrary to SP1, DM1, EN1, EN3, CC9, JP-P2, and Section 16 of the NFFP.

Public Safety

The luminance levels of the signage are 204cd/m2 and are therefore within an acceptable range to not cause any distraction to passing pedestrians or road users, or to cause a disturbance to any nearby residents or commercial occupiers.

A condition has been added to ensure that the luminance levels of the approved fascia sign are controlled and complied with.

All signs comply with headroom and carriageway clearance requirements.

A projection over licence is required due to the projection of 0.8 over the adopted highway.

Overall Conclusion

Given the above, the installed fascia sign is considered to be consistent with the Core Strategy for the City of Manchester, in particular DM1 (Development Management) and SP1 (Spatial Principles), the saved policies contained within the Unitary Development Plan for Manchester, in particular DC14.1 and DC14.5 (Shop fronts and Related Signs), and the National Planning Policy Framework, in particular Section 12 (Achieving Well Designed Places) and Section 16 (Conserving and Enhancing the Historic Environment).

However, the installed projecting sign has caused harm to the visual amenity of the host building, the surrounding street scene and the historic environment, particularly the setting of adjacent listed buildings and Parsonage Gardens conservation area and is therefore refused on the basis that it does not comply with 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 DC14.1, DC18.1, and DC19.1 of the Unitary Development Plan for the City of Manchester (1995), Places for Everyone Plan Policy JP-P2, the National Planning Policy Framework, and Planning (Listed Buildings and Conservation Areas) Act 1990.

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 polices 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: Approved and Refused

Refused Elements

The retention of the following is hereby refused:
- 1no. internally illuminated projecting sign.

Reasons for recommendation to refuse

The projecting sign, by virtue of its thickness, forms an overly large, bulky and discordant feature on the building that fails to respond positively to the architectural language and character of both the building itself. It is detrimental to the visual amenity of the building and the surrounding area appearing incongruous when viewed in the same context as nearby listed buildings and the wider conservation area in particular the setting of the Grade II* listed Barton Arcade, Grade II listed 62-66 Deansgate, and Parsonage Gardens Conservation Area. The projecting sign is therefore contrary to the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007, together with policies SP1, EN1, EN3, CC9, and DM1 of the Manchester Core Strategy (2012), saved policies DC14, DC18 and DC19 of the Unitary Development Plan for the City of Manchester (1995), policy JP-P2 of Places for Everyone (2024), and sections 12 and 16 of the NPPF (2024)

Approved Elements

The retention of the following is hereby approved:
- 1no. internally illuminated fascia sign

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 fascia sign hereby approved shall be carried out in accordance with the following drawings and documents received by the City Council as Local Planning Authority on 29 October 2024:

- Location Plan
- Proposed Elevation 001

and as Received by the City Council as Local Planning Authority on 09 December 2024:

- Dwg 3001/SE/8001/A

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/m2 in brightness at any time.

Reason - In the interests of visual and residential amenity pursuant to policies SP1, EN3 and DM1 of the Manchester Core Strategy and saved policies DC14.1, DC18.1, and DC19.1 of the Unitary Development Plan for the City of Manchester.

Informatives

1) The projecting sign extends to a maximum projection in excess of 0.8m over the adopted highway and will therefore require a projection over licence, to be funded at the applicant's expense. This can be obtained from https://www.manchester.gov.uk/directory_record/451898/projecting_over_the_highway#:~:text=Summary,also%20need%20to%20be%20licensed.

2) It should be noted that this advertisement consent application only considers the retention of 1no. internally illuminated fascia sign and 1no. internally illuminated projecting sign. Other external elevational alterations marked on the drawings require a separate planning permission for consent.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Lunya, 57 Deansgate, Manchester, M3 2AY
Basement And Ground Floor, 76 Deansgate, Manchester, M3 2FW
76 Deansgate, Manchester, M3 2FW
First Floor, 76 Deansgate, Manchester, M3 2FW
First Floor, 5 Parsonage, Manchester, M3 2HS
Ground Floor, 76 Deansgate, Manchester, M3 2FW
80 Deansgate, Manchester, M3 2ER
65 Deansgate, Manchester, M3 2BW
67 Deansgate, Manchester, M3 2BW
63 Deansgate, Manchester, M3 2BW
61 Deansgate, Manchester, M3 2BW

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