

## **Planning**

## **Growth & Development**

### **Delegated officer report for planning application**

**Application no.** 139950/AO/2024

**Date registered valid:** 7 May 2024

**Proposal:** Installation of a non-illuminated projecting sign and two 'R' logo door handles.

**Address:** Unit 2, The Shambles, New Cathedral Street, Manchester, M1 1AD

**Ward(s):** Deansgate Ward

**Applicant:** Mr Kevin Gill One Fine Day Design Limited

**Agent (if any):** Mr Kevin Gill One Fine Day Design Limited

**Case officer:** Jack Naven  
Tel: 0161 219 2095  
Email: [jack.naven@manchester.gov.uk](mailto:jack.naven@manchester.gov.uk)

**Recommendation:** Approve

**Date of recommendation:** 27<sup>th</sup> June 2024

## **Application Details**

**Type of application:** Advertisement Consent

**Development type:** Advertisements

**Date of site visit:** 15 May 2024

### **Standard consultations:**

Printed: 14 May 2024      Expired: 5 June 2024

### **Neighbour notifications**

Printed: 14 May 2024      Expired: 5 June 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:** Not applicable

**Tree Preservation Order:** Not applicable

The application relates to a ground floor commercial unit located at Unit 2, The Shambles, New Cathedral Street, which has a permitted use for retail (Class E).

The wider building complex was purpose built for commercial uses as part of the redevelopment of the area following the 1996 IRA bombing in Manchester City Centre. The building contains a large department store, currently occupied by Harvey Nichols, as well as many smaller individual units that front on to the pedestrianised highway of New Cathedral Street.

The New Cathedral Street elevation of the building is largely frameless glass with stone pillars separating the individual commercial units in the building.

The building on the opposite side of New Cathedral Street, which contains Selfridges and M&S, has a significantly less active frontage and as such, is mainly constructed from glazing which is mostly obscured.

The wider surrounding area contains a variety of uses including residential apartments, a hotel, shops, drinking establishments, banks, cafes, and restaurants. As would be expected in a city centre location, advertisements are commonplace throughout the surrounding area.

The site in question is not located within a conservation area but is situated close to both the St Ann's Square Conservation Area and the Cathedral Conservation Area. Taking into account the

proposed works and the distance from the designated Conservation Areas, the proposal is not considered to affect the setting of either Conservation Area.

### **Description of Development**

The proposal seeks advertisement consent for the installation of a non-illuminated projecting sign and two 'R' logo door handles.

### **Related Applications**

**091414/AO/2009/C1** - Installation of 17 no. signs relating to the rebranding of New Cathedral Street.

***Approved November 2009.***

### **Consultations & Notification Responses**

**Highway Services** - Confirmed that the signage complies with headroom and carriageway clearance requirements. Requested that informatives be added concerning obtaining a projection over licenses and other Highway requirements.

**Environmental Health** - Response related to adding a condition to control the luminance of the signage. The applicant has confirmed that there is no luminance, so no such condition is required.

**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**

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.

The following policies within the Core Strategy are considered relevant:

**Policy 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.

**Policy SP1 (Spatial Principle)** refers to 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.

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

## **The Unitary Development Plan for the City of Manchester**

**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 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. On listed buildings and on buildings within Conservation Areas, signs consisting of individually mounted letters will be preferred to box fascia signs.

## National Policy

Decisions should accord with the requirements of the **National Planning Policy Framework (2023)**. 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** of section 12 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."*

## Issues

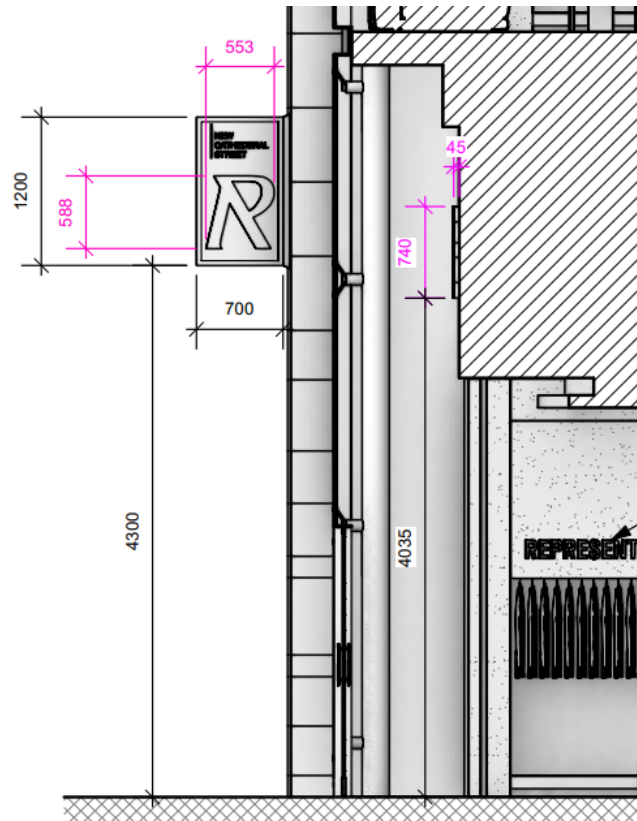
The main issues for consideration relate to the principle of the development, as well as the acceptability of the proposal in terms of its impact upon visual amenity and its impact upon public safety.

## Principle of the Proposal

The principle of the proposal is considered to be acceptable in this case. Projecting signs are appropriate for a retail unit such as this in order to advertise the premises and to provide wayfinding. Projecting signs such as the proposed are commonplace along New Cathedral Street and in the surrounding area. Projecting signs are included as an element in the signage strategy for New Cathedral Street. The principle of the two 'R' door handles is also considered to be acceptable to advertise the premises.

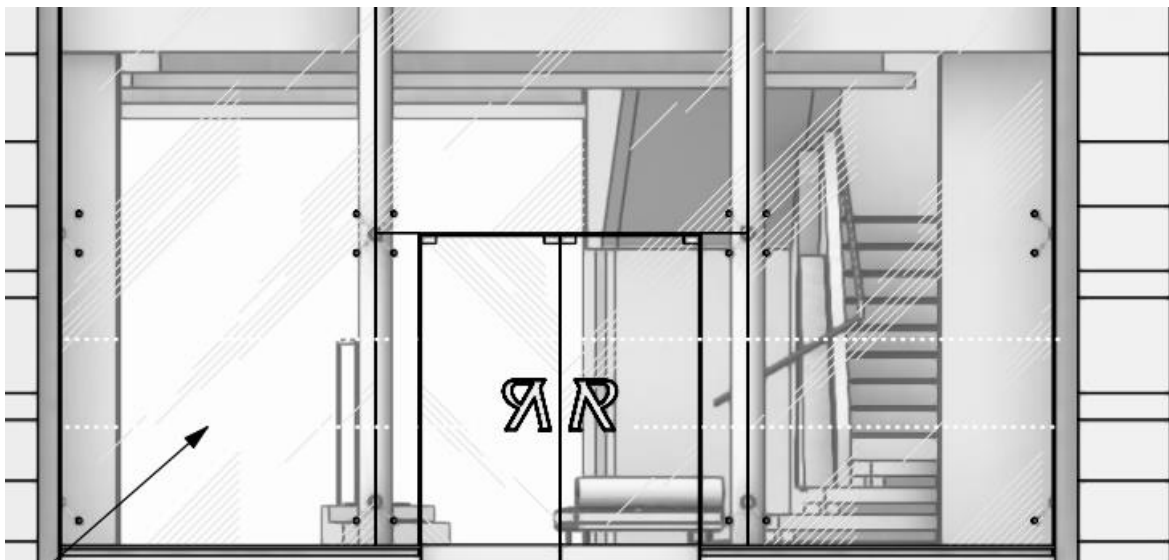
## Visual Amenity

The design of the projecting sign is slender, of high quality, in keeping with the area, and it complies with the signage strategy set out in application **091414/AO/2009/C1**, approved in November 2009, which saw the whole of New Cathedral Street be re-branded and re-developed. Having a projecting sign that is in line with the cohesive line of projecting signs along New Cathedral Street is considered to have a positive impact on the visual amenity of the area.



***Proposed Projecting Sign***

The two 'R' door handles are considered to be of a high-quality design that is compatible with New Cathedral Street and the surrounding areas. They are considered to not have any negative impact on the visual amenity of the area.



***Proposed 'R' Door Handles***

## **Public Safety**

There are no public safety concerns with the proposed signage. There is no luminance to the signage that could cause a distraction to passing pedestrians or cause a disturbance to any nearby commercial occupiers.

All signage complies with headroom and carriageway clearance requirements.

## **Conclusion**

Given the above, the proposal is considered to be consistent with National Planning Policy Framework, in particular Section 12 (Achieving Well Designed Places), the Core Strategy for the City of Manchester, in particular DM1 (Development Management) and SP1 (Spatial Principles), and the Saved Policies contained within the Unitary Development Plan for Manchester, in particular DC14.1 and DC14.5 (Shop fronts and Related Signs).

## **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

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

1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents, received by Manchester City Council as the Local Planning Authority on 07 May 2024:

- Location Plan

Received by Manchester City Council as the Local Planning Authority on 17 May 2024:

- Proposed Shopfront External Elevation 7036-EL-202.1

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, and saved policies DC14 and DC18.1.

### **Informatives**

1) The proposed signs extend to a maximum projection of 700mm over the adopted highway. As such, a Projection over License will be required. This can be obtained from [https://www.manchester.gov.uk/directory\\_record/451898/projecting\\_over\\_the\\_highway#:~:text=Summary,also%20need%20to%20be%20licensed](https://www.manchester.gov.uk/directory_record/451898/projecting_over_the_highway#:~:text=Summary,also%20need%20to%20be%20licensed).

2) Regarding any proposed construction or fitout arrangements, where there is an impact on the highway taking into consideration the surrounding traffic restrictions, any requirements for licensing, hoarding / scaffolding, skips and any associated temporary traffic management arrangements will need discussion and agreement with the council's Highway Applications and Network Resilience teams via Email - [highwaylicences@manchester.gov.uk](mailto:highwaylicences@manchester.gov.uk) and [highwaynetworkmanagement@manchester.gov.uk](mailto:highwaynetworkmanagement@manchester.gov.uk)

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

Highway Services  
Environmental Health

Flat 1201, 1 Deansgate, Manchester, M3 1AZ  
Flat 308, 1 Deansgate, Manchester, M3 1AZ  
Flat 605, 1 Deansgate, Manchester, M3 1AZ  
Apartment 807, 1 Deansgate, Manchester, M3 1AZ  
Harvey Nichols Group, The Shambles, New Cathedral Street, Manchester, M1 1AD  
Flat 108, 1 Deansgate, Manchester, M3 1AZ  
Flat 1001, 1 Deansgate, Manchester, M3 1AZ  
Flat 406, 1 Deansgate, Manchester, M3 1AZ  
Flat 207, 1 Deansgate, Manchester, M3 1AZ  
Flat 708, 1 Deansgate, Manchester, M3 1AZ  
Flat 804, 1 Deansgate, Manchester, M3 1AZ  
Flat 901, 1 Deansgate, Manchester, M3 1AZ  
Flat 209, 1 Deansgate, Manchester, M3 1AZ  
Flat 505, 1 Deansgate, Manchester, M3 1AZ  
Flat 1002, 1 Deansgate, Manchester, M3 1AZ  
Flat 704, 1 Deansgate, Manchester, M3 1AZ  
Flat 606, 1 Deansgate, Manchester, M3 1AZ  
Flat 204, 1 Deansgate, Manchester, M3 1AZ  
Flat 706, 1 Deansgate, Manchester, M3 1AZ  
Flat 403, 1 Deansgate, Manchester, M3 1AZ  
Flat 208, 1 Deansgate, Manchester, M3 1AZ  
Unit 5, 1 Deansgate, Manchester, M3 1AZ  
Flat 307, 1 Deansgate, Manchester, M3 1AZ  
Flat 803, 1 Deansgate, Manchester, M3 1AZ  
Flat 402, 1 Deansgate, Manchester, M3 1AZ  
Unit 8, New Cathedral Street, Manchester, M1 1AD  
Flat 707, 1 Deansgate, Manchester, M3 1AZ  
Flat 304, 1 Deansgate, Manchester, M3 1AZ  
Flat 302, 1 Deansgate, Manchester, M3 1AZ  
Flat 105, 1 Deansgate, Manchester, M3 1AZ  
Flat 202, 1 Deansgate, Manchester, M3 1AZ  
Apartment 906, 1 Deansgate, Manchester, M3 1AZ  
Flat 805, 1 Deansgate, Manchester, M3 1AZ  
Flat 107, 1 Deansgate, Manchester, M3 1AZ  
Flat 604, 1 Deansgate, Manchester, M3 1AZ  
Unit 6, New Cathedral Street, Manchester, M1 1AD  
Flat 1101, 1 Deansgate, Manchester, M3 1AZ  
Flat 808, 1 Deansgate, Manchester, M3 1AZ  
Flat 503, 1 Deansgate, Manchester, M3 1AZ  
Flat 507, 1 Deansgate, Manchester, M3 1AZ  
Flat 206, 1 Deansgate, Manchester, M3 1AZ  
Flat 602, 1 Deansgate, Manchester, M3 1AZ  
Flat 601, 1 Deansgate, Manchester, M3 1AZ  
Flat 506, 1 Deansgate, Manchester, M3 1AZ  
Flat 408, 1 Deansgate, Manchester, M3 1AZ  
Apartment 109, 1 Deansgate, Manchester, M3 1AZ  
Unit 3, 1 Deansgate, Manchester, M3 1AZ  
Unit 4, 1 Deansgate, Manchester, M3 1AZ  
Flat 603, 1 Deansgate, Manchester, M3 1AZ

Flat 303, 1 Deansgate, Manchester, M3 1AZ  
Flat 106, 1 Deansgate, Manchester, M3 1AZ  
Flat 404, 1 Deansgate, Manchester, M3 1AZ  
Flat 703, 1 Deansgate, Manchester, M3 1AZ  
Flat 305, 1 Deansgate, Manchester, M3 1AZ  
Flat 705, 1 Deansgate, Manchester, M3 1AZ  
Flat 1104, 1 Deansgate, Manchester, M3 1AZ  
BOSS, 11 New Cathedral Street, Manchester, M1 1AD  
Flat 203, 1 Deansgate, Manchester, M3 1AZ  
Flat 405, 1 Deansgate, Manchester, M3 1AZ  
Flat 502, 1 Deansgate, Manchester, M3 1AZ  
Unit 4, New Cathedral Street, Manchester, M1 1AD  
Flat 508, 1 Deansgate, Manchester, M3 1AZ  
Flat 110, 1 Deansgate, Manchester, M3 1AZ  
Flat 201, 1 Deansgate, Manchester, M3 1AZ  
Unit 7, The Shambles, New Cathedral Street, Manchester, M1 1AD  
Unit 5, The Shambles, New Cathedral Street, Manchester, M1 1AD  
Flat 407, 1 Deansgate, Manchester, M3 1AZ  
Flat 401, 1 Deansgate, Manchester, M3 1AZ  
Flat 701, 1 Deansgate, Manchester, M3 1AZ  
Flat 103, 1 Deansgate, Manchester, M3 1AZ  
Flat 101, 1 Deansgate, Manchester, M3 1AZ  
Flat 102, 1 Deansgate, Manchester, M3 1AZ  
Flat 1003, 1 Deansgate, Manchester, M3 1AZ  
Flat 905, 1 Deansgate, Manchester, M3 1AZ  
Flat 1202, 1 Deansgate, Manchester, M3 1AZ  
Flat 607, 1 Deansgate, Manchester, M3 1AZ  
Flat 205, 1 Deansgate, Manchester, M3 1AZ  
Flat 504, 1 Deansgate, Manchester, M3 1AZ  
Flat 210, 1 Deansgate, Manchester, M3 1AZ  
Flat 1103, 1 Deansgate, Manchester, M3 1AZ  
15 New Cathedral Street, Manchester, M1 1AD  
Unit 1, 19 New Cathedral Street, Manchester, M1 1AD  
Flat 301, 1 Deansgate, Manchester, M3 1AZ  
Flat 904, 1 Deansgate, Manchester, M3 1AZ  
Flat 306, 1 Deansgate, Manchester, M3 1AZ  
Flat 501, 1 Deansgate, Manchester, M3 1AZ  
Flat 702, 1 Deansgate, Manchester, M3 1AZ  
Flat 801, 1 Deansgate, Manchester, M3 1AZ  
Flat 104, 1 Deansgate, Manchester, M3 1AZ  
Flat 806, 1 Deansgate, Manchester, M3 1AZ

## **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  
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M  
Coal Authority - Development Low Risk - Name: DEVELOPMENT\_LOW\_RISK\_AREA  
Area Team Boundary - Name: CENTRAL