

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138575/AO/2023

Date registered valid: 16 November 2023

Proposal: Signage to include installation of projecting signs and display of lettering on awnings

Address: 200 - 204 Deansgate, Manchester, M3 3NN

Ward(s): Deansgate Ward

Applicant: ASE RE A LLP c/o CEG

Agent (if any): Miss Megan Turner WSP

Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **18/12/2023**

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

No consultations have been printed and sent.

Neighbour notifications

Printed: 17 November 2023

Expired: 8 December 2023

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/building

The site relates to the corner of ground floor unit of Royal London House at 200-204 Deansgate, which is situated on the corner of Deansgate and Quay Street. Since 1997, the unit in question has housed an outlet of the outdoor equipment retailer Blacks. The building was originally constructed as an insurance office in 1904. It was designed in the Free Baroque style by Charles Heathcote, an architect who designed a number of important buildings in Manchester's city centre, including the Grade-II listed Onward Buildings which sit opposite Royal London House. The building's significance is largely derived from its ornate facade, including its large ground floor windows. The site also falls within the Deansgate Conservation Area.

Listed building: Grade II

Conservation area: Deansgate Conservation Area 1985

Tree Preservation Order:

Description of area

The area relates to Deansgate, one of the main thoroughfares through Manchester city centre, which forms part of the A56. The area houses a number of different uses, including retail, commercial, dining, drinking and office spaces. Deansgate is home to a number of listed and non-listed heritage assets, including the Grade I listed John Rylands Research Institute and Library and the Grade II listed Great Northern Warehouse.

Description of development

The development relates to the installation of 2no. externally illuminated projecting signs and lettering to 5no. awnings. The proposed projecting signs would be affixed in the same locations as the previous Blacks signage on the Deansgate elevation and one on the Quay Street elevation. They would be fabricated from ivory Perspex in an aluminium frame, lettering to the Perspex and illuminated via two lighting bars. The lettering on the awnings would be placed on

the far right edge of the awning fringe, in white block capitals to contrast with the green background of the awning fabric.

Consultations & Notification Responses

Publicity - letter were sent to surrounding occupiers notifying them of the development. No representations have been received as a result of this publicity.

Issues

The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the adjacent Conservation Area and Public Safety. The main policies that relate to the assessment of the proposal are the Town and Country Planning (Control of Advertisements) Regulations 2007 and Core Strategy policies DM1 (Development Management), SP1 (Spatial Principles), CC9 (Design and Heritage) and EN3 (Heritage), the Saved Policies contained within the Unitary Development Plan for Manchester in particular DC14 (Shop fronts and Related Signs), DC15 (Advertisements, Hoardings and Posters) DC18.1 (Conservation Areas) and DC19 (Listed Buildings) and the National Planning Policy Framework, in particular Section 12 (Achieving well-designed places) and Section 16 (Conserving and enhancing the historic environment).

Town and Country Planning (Control of Advertisements) Regulations 2007

The 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

Issues

The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. An assessment of the proposals under these criteria is outlined below.

Visual amenity

The proposed projecting signage is modest in scale, design and massing. The signs would measure 700x500mm with a depth 30mm, the maximum permitted in the City Centre, and hence would be delicate and slimline in appearance. The signage frame would be fabricated from 20mm thick, black powder coated steel, with a opal acrylic faces on both sides and black

lettering. They would top lit by a light bar on either side, which would project 85mm from the main sign, ensuring the overall scale is not overly bulky.

Whilst hanging signs are generally preferred over other forms of projecting signs in conservation areas, the signage proposed projects sideways from a small fixing plate so as to reuse the existing signage fixing points and ensure the size of the plate is as modest as possible. Two projecting signs are permitted on the unit, in contravention of the provisions of saved policy DC14.5(e) of the Unitary Development Plan. In this instance, this is permitted owing to the corner position of the unit, precedent set by the previous signs and as reutilising the existing fixing points avoids the need for unsightly stonework repair.

The lettering on the awnings is replicated across all five awnings and is modest in scale, standing at 80mm high. The small size would minimise the visual prominence of the lettering, as they would appear discrete in the context of the large awnings, ensuring they do not create an impression of visual clutter.

The relatively low illuminance level, at 300cd/m², would ensure the signage is not overly prominent in the street scene whilst ensuring its visibility in the hours of darkness. The downwards direction of the lighting would ensure glare and overspill is limited by projecting light towards the sign rather than outwards into the street.

Given the above, it is considered that the proposed signage is designed to not be overly visually obtrusive and therefore there would be no harm to visual amenity that would warrant a refusal.

Public safety

The projecting signs would be c2.9m above the footway, above the 2.3m clearance required by MCC Highways. The awnings on which the lettering would be displayed were given approval under app. ref. 136699/FO/2023 and 136701/LO/2023, but it is noted they would leave c2.7m of headroom which would also comply with minimum headroom requirements. Therefore, it is not predicted the signage would pose a threat to pedestrian safety. An informative attached to this approval notifies the applicants they would require a projecting over licence from MCC Highways.

The illuminance level of the projecting signs is stated as 300cd/m², below the maximum 600cd/m² stated by MCC Highways and in line with the 300cd/m² required by Environmental Health in the City Centre. It is not predicted that the illuminance level is great enough to give rise to driver distraction.

Given the above, it is not considered that the display of the proposed advertisements would be detrimental to public safety.

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

n/a

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

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:

-Drawing - Proposed 03(15) EXTERNAL ELEVATIONS AND SHOPFRONT DETAILS received by the City Council, as Local Planning Authority, on 16 November 2023.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies CC9, EN1, EN3, SP1 and DM1 of the Core Strategy, saved policy DC19.1 and Sections 12 and 16 of the National Planning Policy Framework.

3) Lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties and the illuminance level shall be controlled to 300cd/m².

Reason - To safeguard the amenities of the occupiers of nearby properties pursuant to policies DM1 and SP1 of the Manchester Core Strategy.

Informatives

1) The proposed sign extends to a maximum projection of 0.03m over the adopted highway. As such, a Projection over License will not be required. If the sign projects 0.35m or greater over the adopted highway then a Projection over Licence will be required and this is obtainable via Contact Manchester on 0161 234 5004 and is to be funded at the applicants expense.

Appendix 1 – List of consultees & neighbours notified

Greek Grill House, Kiosk Adjacent 223, Deansgate, Manchester, M3 4EN
223A Deansgate, Manchester, M3 4BQ
Advertising Right BT Inlink Outside Overseas House, Quay Street, Manchester, M3 3HN
Basement, Royal London House, 196 Deansgate, Manchester, M3 3WF
Sixth Floor, Overseas House, Quay Street, Manchester, M3 3HN
Fourth Floor, Overseas House, Quay Street, Manchester, M3 3HN
Third Floor, Overseas House, Quay Street, Manchester, M3 3HN
Second Floor, Overseas House, Quay Street, Manchester, M3 3HN
First Floor, Overseas House, Quay Street, Manchester, M3 3HN
207 Dental Care, First Floor, Onward Buildings, 207 Deansgate, Manchester, M3 3NW
188 - 192 Deansgate, Manchester, M3 3ND
Sainsbury's, 242 Deansgate, Manchester, M3 4BQ
Unit 1, Overseas House, Quay Street, Manchester, M3 3HN
Third Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
First Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
Fourth Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
Store Rear Of 192, Deansgate, Manchester, M3 3ND
223 Deansgate, Manchester, M3 4BQ
Second Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
2 Bootle Street, Manchester, M2 5GU
Third Floor, Onward Buildings, 207 Deansgate, Manchester, M3 3NW
Second Floor, Onward Buildings, 207 Deansgate, Manchester, M3 3NW
Onward Buildings, 207 Deansgate, Manchester, M3 3NW
207 Dental Care, First Floor 207 Dental Care, Onward Buildings, 207 Deansgate, Manchester, M3 3NW
London House, 193 Deansgate, Manchester, M3 3NE
Third Floor Right, London House, 193 Deansgate, Manchester, M3 3NE
Overseas House, Quay Street, Manchester, M3 3HN
Royal London House, 196 Deansgate, Manchester, M3 3WF
Unit 2, Overseas House, Quay Street, Manchester, M3 3HN
Fifth Floor, Royal London House, 196 Deansgate, Manchester, M3 3WF
Dirty Martini, 1 Peter Street, Manchester, M2 5QR
194 Deansgate, Manchester, M3 3ND
209 Deansgate, Manchester, M3 3NW
205 Deansgate, Manchester, M3 3NW
198 Deansgate, Manchester, M3 3NE

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
Conservation Area - Deansgate Conservation Area 1985
Area Team Boundary - Name: CENTRAL