

Planning

Growth & Development

Delegated officer report for planning application

Application no. 138787/AO/2023

Date registered valid: 8 December 2023

Proposal: Installation of 1no. Illuminated individual letter signage fixed to glazing.

Address: 11 New Cathedral Street, Manchester, M1 1AD

Ward(s): Deansgate Ward

Applicant: Ms Emily Stimpson Hugo Boss

Agent (if any): Mrs Sophie Hanrahan Child Graddon Lewis

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

Recommendation: Approve

Date of recommendation:

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 11 December 2023

Expired: 1 January 2024

Neighbour notifications

Printed: 11 December 2023

Expired: 1 January 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/building

The application relates to 11 New Cathedral Street. It is not within a conservation area, but is adjacent to both the St Ann's Square Conservation Area and the Cathedral Conservation Area.

The building is purpose built for commercial uses as part of the redevelopment of the area following the 1996 IRA bombing in the city centre. The building contains a large department store as well as many smaller individual units that front the pedestrian highway of New Cathedral Street. The New Cathedral Street elevation of the building is largely frameless glass with stone pillars separating the individual units in the building.

Listed building: Not applicable

Conservation area:

Tree Preservation Order:

Description of area

The character of the surrounding area comprises 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.

Description of development

The application relates to the installation of 3no. new glass fascia panels together with an internally illuminated, individual-letter fascia sign mounted externally to the central glass panel.

Consultations & Notification Responses

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

Highways - no objections

Environmental Health - condition requested to limit luminance to 300cd/m2 and control glare and overspill to nearby properties (an appropriate condition is attached)

Issues

Planning History

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

The signage approved under this application sets out a signage strategy for the units along New Cathedral Street. This includes clear glazed fascia panels and signage placed behind the glass.

094633/AO/2010/C1 - *Retrospective Application for the installation of 3no. internally illuminated fascia signs*

Consent was granted under this application for 3no. internally illuminated fascia signs. These were mounted internally, behind the glass, and the decision included a condition for glazing at ground floor level to be retained as clear glazing at all times.

119506/FO/2018 – *External salt and pepper ceramic cladding finish*

This application for external salt and pepper cladding to the glass fascia area was refused. The reason was as follows:

The proposed change to the external appearance of the building, by virtue of its design and appearance, would harm the external appearance of the existing building and have a detrimental impact on the visual amenity of the area within which the building sits. The proposal is therefore not considered to be in accordance with Sections 7 (Requiring Good Design) of the National Planning Policy Framework, policies DM1 (Development Management), and SP1 (Spatial Principles) and EN1 (Design Principle and Strategic Character Areas) of the Manchester Core Strategy and saved policies DC14.1 (Shop Fronts and Related Signs) of the Manchester Unitary Development Plan.

It is noted that the 3no. panels were installed without planning permission, with the two side panels remaining in situ until the present day.

119507/AO/2018 - *Advertisement consent for the siting of illuminated signage.*

Consent was granted under this application for internally illuminated letters mounted to the exterior of the fascia.

136654/AO/2023 - *Retention of 1 no. internally illuminated fascia sign and installation of 1 no. internally illuminated projecting sign.*

A split decision was issued which granted consent for the projecting sign, which was to be installed in line with the signage strategy approved under app. ref. 091414/AO/2009/C1. The fascia sign, which consisted of a box sign fabricated from a shiny, opaque material with illuminated lettering cut out, was refused on visual amenity grounds:

The fascia sign, by virtue of its position within the shop front, appearance, design and materiality creates an incongruous and obtrusive feature in the shopfront and wider street scene. The resulting appearance has an unduly harmful impact on architectural language, features and character of the building together with undermining and detracting from the high quality shop fronts in the street scene,. The fascia sign is therefore harmful to the visual amenity of the building and the local area and therefore contrary to the Town and Country Planning (Control of Advertisements) Regulations 2007, policies SP1, EN1 and DM1 of the Manchester Core Strategy (2012) and the Section 12 of the NPPF.

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.

The main issues for consideration relate to the impact of the proposals on visual amenity and public safety. The main policies that relate to the proposal are Section 7 (Requiring Good Design) and Section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, Policies SP1 (Spatial Principles), EN3 (Heritage), DM1 (Development Management) and CC9 (Design and Heritage) of the Adopted Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 (Shopfronts and Related Signs), and DC18.1 (Conservation Areas) of the Unitary Development Plan for the City of Manchester.

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

Visual Amenity

The development would see the installation of a new set of individual, internally illuminated letters to a set of clear glazed backing panels. This would replace the existing signage, comprising a central, shiny black box sign flanked by two granite effect fascia panels which were installed without consent.

The shopfront under consideration sits within a row of retail units that form part of large shopping centre that dominates the west side of New Cathedral Street. The elevation is characterised by large, clear glazed shopfronts that afford the elevation a lightness and permeability that mitigates against the feeling of enclosure created by the tall buildings either side of the narrow footway. This unbroken glazing is disrupted by the solid elements of the existing Hugo Boss shopfront. This undermines the architectural language of the building, thereby harming visual amenity.

The replacement fascia panels would bring the Hugo Boss shopfront design back into line with the other shopfronts along New Cathedral Street. This element is supported pursuant to policy DC14.5(b), which states that the signage should respect the architectural form of buildings.

The use of individual letters is supported pursuant to policy 14.5 (e) of the Unitary Development Plan (1995). Typographically, the new lettering would reflect the brands updated branding. This consists of simple block capitals, which would help simplify the appearance of the façade. The low level of luminance, at 300cd/m2 would ensure the signage is not overly obtrusive in the street scene.

The signage is a departure from the City Council's preference for fascia signage to be placed behind the glass, as approved under 091414/AO/2009/C1. As the application seeks the reinstatement of the clear glazing to the shopfront, on balance, in this instance, the external lettering is considered acceptable. The City Council's preference remains for internally mounted lettering and this approval is made without prejudice to any future applications for advertisement consent for the unit at 11 New Cathedral Street or any other within the same building.

Public Safety

No concerns have been raised by Environmental Health or Highways Services regarding public safety. The unit fronts a pedestrianised street, hence there would be not potential for driver distraction. The EHO recommended a condition to control the illumination to 300cd/m2 to protect the amenity of surrounding occupiers.

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

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

1) The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2) The 1 no. internally illuminated projecting sign approved shall be carried out in accordance with the following drawings and documents:

-Drawing - Proposed HI-BRITE "BOSS" LETTER DETAILS

-Drawing - Proposed CGL-XX-EL-EL-A-070001 A SHOPFRONT DRAWING

Both received by the City Council, as Local Planning Authority, on 08/12/2023

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) Lighting from illuminated signage shall be designed and installed so as to control glare and overspill onto nearby properties. The signage will need to be selected and installed to ensure they do not exceed 300 cd/m².

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

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Harvey Nichols Group, The Shambles, New Cathedral Street, Manchester, M1 1AD
Flat 308, 1 Deansgate, Manchester, M3 1AZ
Flat 605, 1 Deansgate, Manchester, M3 1AZ
Flat 1002, 1 Deansgate, Manchester, M3 1AZ
Basement And Ground Floor, Astley House, 23 Deansgate, Manchester, M3 4AH
Apartment 807, 1 Deansgate, Manchester, M3 1AZ
Flat 406, 1 Deansgate, Manchester, M3 1AZ
Flat 108, 1 Deansgate, Manchester, M3 1AZ
Flat 708, 1 Deansgate, Manchester, M3 1AZ
Flat 1201, 1 Deansgate, Manchester, M3 1AZ
Flat 209, 1 Deansgate, Manchester, M3 1AZ
Flat 1001, 1 Deansgate, Manchester, M3 1AZ
Flat 505, 1 Deansgate, Manchester, M3 1AZ
Flat 207, 1 Deansgate, Manchester, M3 1AZ
Flat 804, 1 Deansgate, Manchester, M3 1AZ
Flat 901, 1 Deansgate, Manchester, M3 1AZ
1 St Mary's Gate, Manchester, M1 1BZ
1 Exchange Square, Manchester, M3 1BD
Flat 204, 1 Deansgate, Manchester, M3 1AZ
Unit 5, 1 Deansgate, Manchester, M3 1AZ
Flat 704, 1 Deansgate, Manchester, M3 1AZ
Flat 606, 1 Deansgate, Manchester, M3 1AZ
Flat 307, 1 Deansgate, Manchester, M3 1AZ
Flat 402, 1 Deansgate, Manchester, M3 1AZ
Flat 208, 1 Deansgate, Manchester, M3 1AZ
Flat 706, 1 Deansgate, Manchester, M3 1AZ
Flat 803, 1 Deansgate, Manchester, M3 1AZ
Flat 403, 1 Deansgate, Manchester, M3 1AZ
Unit 2, The Shambles, New Cathedral Street, Manchester, M1 1AD
Unit 8, New Cathedral Street, Manchester, M1 1AD
Flat 604, 1 Deansgate, Manchester, M3 1AZ
Apartment 906, 1 Deansgate, Manchester, M3 1AZ
Flat 304, 1 Deansgate, Manchester, M3 1AZ
Flat 805, 1 Deansgate, Manchester, M3 1AZ
Flat 107, 1 Deansgate, Manchester, M3 1AZ
Flat 105, 1 Deansgate, Manchester, M3 1AZ
Flat 707, 1 Deansgate, Manchester, M3 1AZ
Flat 302, 1 Deansgate, Manchester, M3 1AZ
Flat 202, 1 Deansgate, Manchester, M3 1AZ
Unit 6, New Cathedral Street, Manchester, M1 1AD
UGG, 3 New Cathedral Street, Manchester, M1 1AD
Flat 507, 1 Deansgate, Manchester, M3 1AZ
Flat 503, 1 Deansgate, Manchester, M3 1AZ
Flat 1101, 1 Deansgate, Manchester, M3 1AZ
Flat 808, 1 Deansgate, Manchester, M3 1AZ
Flat 206, 1 Deansgate, Manchester, M3 1AZ
Marks And Spencer, 7 - 17 Market Street, Manchester, M1 1PT
Apartment 109, 1 Deansgate, Manchester, M3 1AZ
Flat 106, 1 Deansgate, Manchester, M3 1AZ

Flat 408, 1 Deansgate, Manchester, M3 1AZ
Unit 3, 1 Deansgate, Manchester, M3 1AZ
Flat 506, 1 Deansgate, Manchester, M3 1AZ
Flat 601, 1 Deansgate, Manchester, M3 1AZ
Flat 602, 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 404, 1 Deansgate, Manchester, M3 1AZ
Flat 1104, 1 Deansgate, Manchester, M3 1AZ
Flat 305, 1 Deansgate, Manchester, M3 1AZ
Flat 508, 1 Deansgate, Manchester, M3 1AZ
Flat 405, 1 Deansgate, Manchester, M3 1AZ
Flat 110, 1 Deansgate, Manchester, M3 1AZ
Flat 203, 1 Deansgate, Manchester, M3 1AZ
Flat 703, 1 Deansgate, Manchester, M3 1AZ
Flat 705, 1 Deansgate, Manchester, M3 1AZ
Flat 201, 1 Deansgate, Manchester, M3 1AZ
Flat 502, 1 Deansgate, Manchester, M3 1AZ
Flat 210, 1 Deansgate, Manchester, M3 1AZ
Flat 905, 1 Deansgate, Manchester, M3 1AZ
Flat 407, 1 Deansgate, Manchester, M3 1AZ
Flat 101, 1 Deansgate, Manchester, M3 1AZ
Unit 5, The Shambles, New Cathedral Street, Manchester, M1 1AD
Unit 4, New Cathedral Street, Manchester, M1 1AD
Unit 7, The Shambles, New Cathedral Street, Manchester, M1 1AD
Flat 701, 1 Deansgate, Manchester, M3 1AZ
Flat 102, 1 Deansgate, Manchester, M3 1AZ
Flat 504, 1 Deansgate, Manchester, M3 1AZ
Flat 1003, 1 Deansgate, Manchester, M3 1AZ
Flat 401, 1 Deansgate, Manchester, M3 1AZ
Flat 607, 1 Deansgate, Manchester, M3 1AZ
Flat 205, 1 Deansgate, Manchester, M3 1AZ
Flat 103, 1 Deansgate, Manchester, M3 1AZ
Flat 1103, 1 Deansgate, Manchester, M3 1AZ
Flat 1202, 1 Deansgate, Manchester, M3 1AZ
3 St Mary's Gate, Manchester, M1 1BZ
Unit 1, 19 New Cathedral Street, Manchester, M1 1AD
15 New Cathedral Street, Manchester, M1 1AD
Flat 306, 1 Deansgate, Manchester, M3 1AZ
Astley House, 23 Deansgate, Manchester, M3 4AH
Flat 904, 1 Deansgate, Manchester, M3 1AZ
Flat 301, 1 Deansgate, Manchester, M3 1AZ
Flat 806, 1 Deansgate, Manchester, M3 1AZ
Flat 702, 1 Deansgate, Manchester, M3 1AZ
Flat 501, 1 Deansgate, Manchester, M3 1AZ
Flat 801, 1 Deansgate, Manchester, M3 1AZ
Flat 104, 1 Deansgate, Manchester, M3 1AZ
ZARA, 1 New Cathedral Street, Manchester, M1 1AD
5 St Mary's Gate, Manchester, M1 1PX

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA

Area Team Boundary - Name: CENTRAL