

Planning

Growth & Development

Delegated officer report for planning application

Application no.	136654/AO/2023	
Date registered valid:	31 March 2023	
Proposal:	Retention of 1 no. internally illuminated fascia sign and installation of 1 no. internally illuminated projecting sign.	
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 Tel: 0161 219 Email: maximillian.gibson@manchester.gov.uk	Gibson 6359
Recommendation:	Approved and Refused	
Date of recommendation:	23/05/2023	

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 19 April 2023 Expired: 10 May 2023

Neighbour notifications

Printed: 19 April 2023 Expired: 10 May 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

Listed building: Not applicable

Conservation area: n/a

Tree Preservation Order: n/a

Description of site and area

Description of area

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.

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 development relates to the display of 1no. internally illuminated fascia sign and the installation of 1no. internally illuminated projecting to reflect the new branding of Hugo Boss.

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 - acceptable, projecting over licence required (attached as informative)

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

Issues

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

Fascia sign

Previous applications for the unit (094632/FO/2010/C1 & 094633/AO/2010/C1) included conditions that required the frontage of the unit to remain as clear glazing.

In 2018, new externally mounted metal lettering was given advertisement consent under app. ref. 119507/AO/2018. This was to be affixed externally to new ceramic, salt and pepper-style cladding, which was refused planning permission under app. ref. 119506/FO/2018 on the ground of visual amenity, although it is noted that the ceramic fascia boards were installed by the applicant.

The applicant has recently installed a new fascia panel with lettering, the retention of which is being considered under this application. The central of the three fascia level panels has been replaced with a solid black box sign with white illuminated lettering. This sign forms an incongruous and obtrusive feature within the context of the unit, building and wider street scene.

The case officer stated in their report when refusing the elevational alterations considered under app. ref. 119506/FO/2018:

'Taking into account that the building frontage along New Cathedral Street consists predominantly of frameless glazing, the proposed external cladding is considered, by virtue of its design and appearance, to have a detrimental impact on visual amenity and would thereby not respect the character of the building or street scene along this immediate span New Cathedral Street.'

It is considered that new fascia signage would be similarly incongruous in the context of the other units on the site side of New Cathedral Street, which have retained their glazed frontages.

Furthermore, the effect of the monochrome sign creates a strident, yet somewhat dull, feature. It contrasts unfavourably with the previous fascia panel which was ceramic with a salt and pepper colour, creating a degree of depth and interest.

As only the central panel has been replaced with this box sign, it contrasts disagreeably with the ceramic fascia panels that flank it, accentuating the difference in quality between what is now installed and what was previously installed and creates a matt, solid element to the shop front.

The combined effect of the aesthetic of the sign and the contrast with the other fascia panels undermines the architectural quality and character of the building. In the context of the previous elevational alterations on this unit, the continued display of the new box signage would contribute to further incremental degradation of design quality at a high-profile city-centre location.

Given the above, the continued display of the fascia signage is considered harmful to visual amenity and should be refused consent.

Projecting sign

The projecting sign panel is in line with the signage strategy set out under app. ref. 091414/AO/2009/C1 and therefore all other projecting signs along this frontage. The panel would be mounted on the existing fixture. The previous projecting sign was near identical in design with only the typeface of the logo having changed. Therefore, the impact of this aspect of the development on visual amenity would be neutral.

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: Approved and Refused

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

0) Refuse the installation of the following:
-1 no. internally illuminated fascia sign

0) Approve the installation of the following:
- 1 no. internally illuminated projecting sign

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.

1) 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.

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

Drawing - Proposed PROJECTOR PANELS received by the City Council, as local planning authority, on 31/03/2023

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 300cd/m²

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 and E3.3 of the Unitary Development Plan for the City of Manchester.

Informatives

1) The proposed sign extends to a maximum projection of 0.7m over the adopted highway. As such, a Projection over License will be required. This is obtainable via Contact Manchester on 0161 234 5004 and is to be funded at the applicant's expense.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat 405, 1 Deansgate, Manchester, M3 1AZ
Flat 708, 1 Deansgate, Manchester, M3 1AZ
Flat 207, 1 Deansgate, Manchester, M3 1AZ
Flat 702, 1 Deansgate, Manchester, M3 1AZ
Flat 901, 1 Deansgate, Manchester, M3 1AZ
Flat 805, 1 Deansgate, Manchester, M3 1AZ
Flat 603, 1 Deansgate, Manchester, M3 1AZ
Flat 110, 1 Deansgate, Manchester, M3 1AZ
Flat 209, 1 Deansgate, Manchester, M3 1AZ
Flat 303, 1 Deansgate, Manchester, M3 1AZ
Flat 505, 1 Deansgate, Manchester, M3 1AZ
Flat 806, 1 Deansgate, Manchester, M3 1AZ
Flat 107, 1 Deansgate, Manchester, M3 1AZ
Flat 402, 1 Deansgate, Manchester, M3 1AZ
Flat 604, 1 Deansgate, Manchester, M3 1AZ
Flat 210, 1 Deansgate, Manchester, M3 1AZ
Flat 206, 1 Deansgate, Manchester, M3 1AZ
Flat 106, 1 Deansgate, Manchester, M3 1AZ
Flat 404, 1 Deansgate, Manchester, M3 1AZ
Flat 1002, 1 Deansgate, Manchester, M3 1AZ
Flat 201, 1 Deansgate, Manchester, M3 1AZ
Flat 508, 1 Deansgate, Manchester, M3 1AZ
Flat 103, 1 Deansgate, Manchester, M3 1AZ
Flat 403, 1 Deansgate, Manchester, M3 1AZ
1 Exchange Square, Manchester, M3 1BD
Flat 104, 1 Deansgate, Manchester, M3 1AZ
Flat 1103, 1 Deansgate, Manchester, M3 1AZ
Flat 801, 1 Deansgate, Manchester, M3 1AZ
Flat 804, 1 Deansgate, Manchester, M3 1AZ
Flat 502, 1 Deansgate, Manchester, M3 1AZ
Flat 803, 1 Deansgate, Manchester, M3 1AZ
Unit 4, New Cathedral Street, Manchester, M1 1AD
Unit 8, New Cathedral Street, Manchester, M1 1AD
Unit 6, New Cathedral Street, Manchester, M1 1AD
15 New Cathedral Street, Manchester, M1 1AD
Unit 2, The Shambles, New Cathedral Street, Manchester, M1 1AD
Unit 5, The Shambles, New Cathedral Street, Manchester, M1 1AD
Marks And Spencer, 7 - 17 Market Street, Manchester, M1 1PT
Unit 5, 1 Deansgate, Manchester, M3 1AZ
Unit 3, 1 Deansgate, Manchester, M3 1AZ
Unit 4, 1 Deansgate, Manchester, M3 1AZ
Flat 1104, 1 Deansgate, Manchester, M3 1AZ
Flat 1202, 1 Deansgate, Manchester, M3 1AZ
Apartment 906, 1 Deansgate, Manchester, M3 1AZ
Apartment 109, 1 Deansgate, Manchester, M3 1AZ
Apartment 807, 1 Deansgate, Manchester, M3 1AZ
Flat 208, 1 Deansgate, Manchester, M3 1AZ
Flat 905, 1 Deansgate, Manchester, M3 1AZ
Flat 1101, 1 Deansgate, Manchester, M3 1AZ

Flat 1201, 1 Deansgate, Manchester, M3 1AZ
Flat 808, 1 Deansgate, Manchester, M3 1AZ
Flat 707, 1 Deansgate, Manchester, M3 1AZ
Flat 407, 1 Deansgate, Manchester, M3 1AZ
Flat 503, 1 Deansgate, Manchester, M3 1AZ
Flat 401, 1 Deansgate, Manchester, M3 1AZ
Flat 308, 1 Deansgate, Manchester, M3 1AZ
Flat 701, 1 Deansgate, Manchester, M3 1AZ
Flat 704, 1 Deansgate, Manchester, M3 1AZ
Flat 601, 1 Deansgate, Manchester, M3 1AZ
Flat 304, 1 Deansgate, Manchester, M3 1AZ
Flat 602, 1 Deansgate, Manchester, M3 1AZ
Flat 302, 1 Deansgate, Manchester, M3 1AZ
Flat 101, 1 Deansgate, Manchester, M3 1AZ
Flat 501, 1 Deansgate, Manchester, M3 1AZ
Flat 305, 1 Deansgate, Manchester, M3 1AZ
Flat 506, 1 Deansgate, Manchester, M3 1AZ
Flat 105, 1 Deansgate, Manchester, M3 1AZ
Flat 605, 1 Deansgate, Manchester, M3 1AZ
Flat 102, 1 Deansgate, Manchester, M3 1AZ
Flat 904, 1 Deansgate, Manchester, M3 1AZ
Flat 306, 1 Deansgate, Manchester, M3 1AZ
Flat 204, 1 Deansgate, Manchester, M3 1AZ
Flat 705, 1 Deansgate, Manchester, M3 1AZ
Flat 408, 1 Deansgate, Manchester, M3 1AZ
Flat 1003, 1 Deansgate, Manchester, M3 1AZ
Flat 706, 1 Deansgate, Manchester, M3 1AZ
Flat 703, 1 Deansgate, Manchester, M3 1AZ
Flat 606, 1 Deansgate, Manchester, M3 1AZ
Flat 507, 1 Deansgate, Manchester, M3 1AZ
Flat 301, 1 Deansgate, Manchester, M3 1AZ
Flat 202, 1 Deansgate, Manchester, M3 1AZ
Flat 203, 1 Deansgate, Manchester, M3 1AZ
Flat 1001, 1 Deansgate, Manchester, M3 1AZ
Flat 406, 1 Deansgate, Manchester, M3 1AZ
Flat 108, 1 Deansgate, Manchester, M3 1AZ
Flat 607, 1 Deansgate, Manchester, M3 1AZ
Flat 205, 1 Deansgate, Manchester, M3 1AZ
Flat 307, 1 Deansgate, Manchester, M3 1AZ
Flat 504, 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