MANCHESTER CITY COUNCIL

Town & Country Planning Act 1990 (as amended)

Refusal of Planning Permission

Applicant	Agent (if used)
BT Telecommunications PLC 1 Braham Street London E1 8EE	Mr Oliver Taylor Dalcour Maclaren 8 Priory Court Cirencester GL7 5JB

Part 1 – Particulars of the application/development

Proposal: Installation of digital LED totem.

Location: Outside H&M Brown Street, Manchester, M2 1DA

Date of application: 30 September 2025

Application number: 144110/FO/2025

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to matters arising in relation to dealing with the planning application. No pre application advice was sought in respect of this matter. The application has been assessed against policy and the comments received. There would be conflicts with policy which could not be resolved through amendments to the scheme. The application is determined in a timely manner.

Reason(s) for decision

1) The proposed totem by virtue of its siting, scale, design, materiality and appearance would result in an overly dominant and obtrusive item of street clutter awkwardly sited on the footway at a junction to a prominent and highly visible location in the city centre. This would form clutter with other street furniture and form a further visual barrier to Brown Street in an area of the city centre where significant efforts to declutter the streetscape to improve the public realm and place making and pedestrian experience have been made. The proposal would also impact on the setting of the non-designated heritage asset and views within the Upper King Street Conservation Area. The totem would be read as a dark, modern and incongruous structure in the setting of the 58 - 66 Market Street building which positively contributes to the Conservation Area, forming an

unduly harmful juxtaposition to the non-designated heritage asset's detailing and a low quality addition to the character of the conservation area. The proposal would result in less than substantial harm to the significance of the Conservation Area and the required public benefits do not exist to outweigh the harm identified. The proposed totem would therefore be contrary to Places for Everyone Policies JP-Strat2, JP-C5, JP-P2 and JP-P1, and Core Strategy Policies SP1, CC2, CC9, EN1, EN3, T1 and DM1, saved UDP policy DC18; Section 72 of the Listed Buildings and Conservation Areas Act 1990; and guidance contained in Sections 12 and 16 of the National Planning Policy Framework.

2) The proposed totem by virtue of its location at a junction to a prominent and active commercial district along a footway which experiences high levels of daily footfall, as well as its scale, footprint, position on the footway and siting adjacent to other items of street clutter would be to the detriment of pedestrian environment, forming a further obstruction along the footway and failing to minimise barriers and obstacles to movement. The proposed totem would therefore be contrary to Places for Everyone Policies JP-C5 and JP-P1, Core Strategy Policies SP1, CC2, CC5, T1 and DM1 and saved UDP Policy DC22; Section 9 of the National Planning Policy Framework; as well as guidance contained within the Streets for All Design Guide 2023.

Date: 25 November 2025

Signed:

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision relates only to that required under the Town and Country Planning Act 1990 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, they may appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of the notice of the decision. However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:

- 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
- 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/appeal-planning-decision. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State has power to allow a longer period for the giving of a notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the City Council (planning@manchester.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

3. The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely Sections 70(1) and 72(1) of the Act.

4. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990

5. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to them. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.