



6th January 2021

Planning
Manchester City Council
P O Box 532
MANCHESTER
M60 2LA

Dear Sir/Madam

APPLICATION FOR ADVERTISEMENT CONSENT AT PICCADILLY CENTRAL, 38 LONDON RD, MANCHESTER M1 2PF

JWPC Chartered Town Planners have been instructed by DV8 Design to prepare an advertisement consent application for signage at 38 London Road, Manchester. DV8 Design has recently oversaw renovations of the public house which included a rebrand and name change to “Piccadilly Central”. As a result, new signage is required to advertise the business premises and services offered here.

The site is located in Manchester City Centre, close to Manchester Piccadilly Station. For the avoidance of doubt, the site does not fall within an area of special control and it is not within a Conservation Area or any other designated area to which exclusions apply.

The proposed development is for the installation of 3 x illuminated wall mounted signs to display the business name “Piccadilly Central” on the South and East Elevations, 1 x non-illuminated fret cut logo and text sign.

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) sets out regulations for the display of advertisements in England. The Regulations grant deemed consent for certain classes of advertisements and set out regulations for where express consent will be required from the Local Planning Authority. In the cases where express consent is required, regulation 3 states that a Local Planning Authority shall exercise its powers in the interests of two matters: amenity and public safety. For the benefit of the local planning authority, the following facts must be taken into account.

Illuminated Wall Mounted Sign

There are three wall mounted signs proposed which will display the name of the business premises. The individual characters will be a non-illuminated gold text while the tray that mounts the letters will be made to match the colour of the building and will be illuminated around the



perimeter with LED bulbs to create a halo effect. The LEDs will have a diffuser attached to limit the brightness and the tray will include a lip to hide the bulbs and direct the light to the sign text. The illuminated wall mounted signs do not meet the conditions set out in Class 4 of Part 1, Schedule 3 (Illuminated advertisements on business premises) and so this part of the development requires express consent.

In the case of Zurich Assurance Ltd v North Lincolnshire Council, the High Court judge ruled:

“[75] The prospect of the fall-back position does not have to be probable or even have a high chance of occurring; it has to be only more than a merely theoretical prospect. Where the possibility of the fall-back position happening is ‘very slight indeed’ or merely ‘an outside chance’, that is sufficient to make the position a material consideration”.

It is therefore a point of law that local authorities must treat the existence of extant permissions, whether deemed or express consents, as strong material considerations regardless of how likely the Council consider its implementation to be. In this case, it is highly likely that the Applicant could implement the deemed consent given under Class 5 of Part 1, Schedule 3 which allows the signs (annotated as A, B and D on the proposed plans) to be installed in a non-illuminated form.

The Local Planning Authority must consider the proposed signage in the context of this fall-back development; the only change being the ‘halo’ illumination of the wall trays. The trays have been designed with a raised lip in order to hide the LED’s and direct the illumination to the characters of the sign.

The planning authority have granted express consent for other illuminated signs within a close proximity to the site. The table enclosed in this letter lists some examples demonstrating approved signage for internally illuminated fascia signs which are more prominent than the sensitive tray design proposed. In addition to this, more prominent signage has been approved on sites in Conservation Areas and on Listed Buildings. The application site does not have any such constraints.

As a result of this careful design, it can be concluded that there will be no harm to public safety or amenity as a result of the illumination.

Non-Illuminated Fret Cut Logo and Text

This sign (annotated F on proposed plans) will identify the business and services carried out on the premises. As confirmed by the case law referenced above, it is a material consideration to consider any deemed consent at the site. In this case, the Applicants have deemed consent to install an



extremely similar fret cut signage (with the logo part reduced by 139mm in height). The graphic has been designed to fit comfortably in context of the building and so the Applicants have applied for express consent in this instance. It is clear from the submitted plans that this fret cut logo will not have a harmful impact on public safety. The logo will have a positive visual impact on the building and immediate surroundings and will not cause any negative amenity impacts.

Summary

This letter supports an application for advertisement consent at Piccadilly Central, 38 London Road, Manchester. The development can be summarised as:

- 3x illuminated wall mounted signs (annotated A, B and D); and
- 1 x non-illuminated fret cut logo and text.

As set out above the proposed development will not cause a harmful impact to amenity or to public safety. The development should therefore be supported by the LPA and we respectfully request that express consent for this development is granted.

Yours sincerely,

Bryanni Cartledge

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Planning Consultant

Encl. Planning History Table



Enclosed: Table of recently approved illuminated signage close to the site

LPA Reference	Date of Decision	Address	Description of Development	Notes
126653/AO/2020	Jul 2020	19-25 Piccadilly Manchester M1 1LU	Installation of 3no. illuminated individual letter signs, 2no. internally illuminated projecting signs, 2no. illuminated individual logo signs	Conservation Area
126482/AO/2020	Oct 2020	83 Piccadilly Manchester M1 2BZ	Installation of external signage comprising 2no. internally illuminated individual letter fascia signs and 1no. internally illuminated projecting sign	Conservation Area Listed Building
115227/AO/2017	Jul 2017	71-75 Piccadilly Manchester M1 2BS	The installation of one externally illuminated fascia panel with internally illuminated individual letters, one projecting sign, four menu cases and branding of planter boxes.	Conservation Area Listed Building
098213/AO/2011/C2	Feb 2012	One Piccadilly Place Auburn Street Manchester M1 3DG	Installation of 3no. internally illuminated individual letter signs	
118561/AO/2017	Mar 2018	4 Piccadilly Place Manchester M1 3BN	Installation of 1 no. internally illuminated box sign	