
Appeal Decision

Site visit made on 20 June 2017

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 July 2017

Appeal Ref: APP/B4215/Z/17/3172680
67 Piccadilly, Manchester M1 2BS

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Keith Miller of blowUP media UL Ltd against the decision of Manchester City Council.
 - The application Ref 114857/AOH/2016, dated 14 December 2016, was refused by notice dated 10 March 2017.
 - The advertisement proposed is a mesh weave display situated on scaffold.
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Decision

1. The appeal is allowed and express consent is granted for the display of a mesh weave display situated on scaffold as applied for. The consent is for two years from the date of this decision and is subject to the five standard conditions set out in the Regulations¹ and the following additional condition:-
 - 1) The advertisement permitted by this consent shall be removed from the site no later than 2 years from the date of this decision.

Main Issue

2. The main issue is the effect that the advertisement would have on visual amenity and, thus, the character and appearance of the surrounding area, having regard to the adjacent Grade II listed buildings within the Stevenson Square Conservation Area (SQCA).

Reasons

3. The appeal site is within the SQCA and next to a cluster of Grade II Listed Buildings on Piccadilly and Newton Street. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) explains that '*...special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*' of a listed building. Section 72(1) of The Act also requires that '*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*'
4. The site is on a prominent corner at the junction of Piccadilly and Newton Street. Adverts in this commercially dominated area show some variation in style and character, through the use of materials and illumination. There are examples of internal and external illumination. The building subject of this appeal is not listed, albeit I gather it is an attractive building. However, I

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Schedule 2

understand the building's façade has been obscured by scaffolding and netting since 2007 to prevent loose material falling on the well-used highway below due to the building's state of disrepair.

5. The Grade II listed buildings of 1 to 11 Newton Street, 13 and 15 Newton Street, 8, 10 and 12 Newton Street and at 69 to 75 Piccadilly either adjoin or face the appeal site. The buildings line vibrant routes that are heavily used by vehicles and pedestrians. Thus, this part of the city centre is characterised by its historic, architectural and commercial make up². The proposal would, due its size and placement on a prominent corner, be very apparent to occupiers of nearby buildings and passers-by. It would mask the building's façade above the ground floor when viewed from Newton Street, Piccadilly and Portland Street.
6. The scaffolding and netting heavily influence the current appearance of the building, the SQCA and the listed buildings. On its own, the proposal would be an incongruous feature as it would not relate well to the building's scale, design and appearance. However, compared to the current situation, there would not be a significant change, even if the building's features and ridgeline would be obscured. Still, the proposal would appear with, and be broadly in tune with the externally illuminated advert attached to scaffolding across the entire front façade of 61 Piccadilly. This masks the façade of this listed building and is in the SQCA. The proposal would be a significant feature and draw attention away from the nearby listed buildings and the SQCA. However, the advert would not mask the entire building, be dissimilar to No 61, and it would be a high quality alternative to the existing unsightly scaffolding and netting.
7. The site does lie in a commercial area of a major city and specific mention is made in the Planning Practice Guidance (the Guidance) to shroud and large 'wrap' advertisements. The Guidance states that *buildings which are being renovated or are undergoing major structural work and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements or large 'wrap' advertisements covering the face, or part of the face, of a building*³.
8. It is sometime since the scaffolding was first erected and there is no planning application or an indication that a redevelopment or a restoration scheme are being brought forward. Thus, I am not convinced that the building would necessarily be demolished in the two-year period for which consent is sought as the building is, despite recommendations⁴, still standing. However, equally I am not certain, based on the lack of substantive evidence before me that its presence would delay development being brought forward or result in the adverts long-term presence at the site. In any event, the scaffolding and netting would need to stay in situ, given the building's condition.
9. The Council has referred to policies from the Council's Core Strategy Development Plan Document (Core Strategy), saved policies from The Manchester Plan The Unitary Development Plan for the City of Manchester (UDP), and the Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (SPD). Of the policies referred to, I have taken into account Core Strategy Policies EN1, EN3, EN12, CC9, DM1 and SP1, saved UDP Policies DC15.1, DC15.2, DC18.1, DC19.1 and E3.3, and the SPD which seek to protect amenity, including the presence of historic and architectural interests, and so are material in this case. Furthermore I have

² Planning Practice Guidance, Paragraph: 079 Reference ID: 18b-079-20140306

³ Planning Practice Guidance, Paragraph: 005 Reference ID: 18b-005-20140306

⁴ Structural Condition Report

also had regard to paragraph 67 and Section 12 of the National Planning Policy Framework, which seeks to prevent the negative impact of poorly placed advertisements and promotes conservation and enhancement of the historic environment and heritage assets.

10. I consider that a strict control over the display of outdoor advertisements should be maintained, and I note the 2004 appeal decision⁵ together with the Council's decisions in 2005⁶ and 2010 respectively. Even so, I do not have the details of these schemes before me and in any event, the appeal decision related to scaffolding that was directly attached to the building. While, the Council have suggested a non-revenue generating wrap to the appellant, I have made this decision based on the circumstances of this case, aside to the 2002⁷ consent and the express consent granted at No 69 for a 6 month temporary period⁸ as this was while façade and roof repairs were completed.
11. The proposal would not reflect the positive quality and appearance of the more traditionally styled adverts within the SQCA or on nearby listed buildings. However the advert would, in the circumstances explained, despite the lack of building works, preserve the character and appearance of the SQCA, and safeguard the special character and significance of the listed buildings. Thus, I conclude that the proposed temporary advertisement display to be acceptable in terms of amenity and it would not conflict with the policies set out above.

Conclusion and Condition

12. The Council have not suggested any conditions. However, given the Council's points around the advertisement remaining on the site in the long-term, a condition is imposed to ensure that it is clear when the consent expires.
13. For the reasons given above I conclude that the display of the advertisement would not be detrimental to the interests of amenity.

Andrew McGlone

INSPECTOR

⁵ Appeal Decision Ref: APP/B4215/H/04/1153055

⁶ Council Application Refs: 073586/AOH/2004/C2

⁷ Council Application Ref: 065147/AOH/CITY2/02

⁸ Council Application Ref: 104248/AOH/2013/C2