
Appeal Decision

Site visit made on 29 May 2020

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2020

Appeal Ref: APP/B4215/Z/19/3242198

**Advertising display at Shudehill, corner of Mayes Street,
Manchester M4 4AN**

- 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 Thomas Johnston of J C Decaux UK Ltd against the decision of Manchester City Council.
 - The application Ref 124341/AOH/2019, dated 25 July 2019, was refused by notice dated 22 October 2019.
 - The advertisement proposed is removal of existing advertisement and the installation of one internally illuminated digital display of similar dimensions.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellant has drawn my attention to discussions which took place with the Council during the application stage regarding a proposed reduction in the overall height of the sign from approximately 2m to 1.8m. However, in the absence of a definitive proposal with submitted plans, it would be inappropriate for me to formally consider such a revised scheme.

Main Issue

3. The main issue is the effect of the proposed advertisement on amenity.

Reasons

4. The appeal site is located at the corner of a car park which fronts onto Mayes Street and Shudehill, at the edge of the city centre. The site lies outside, but immediately adjacent to, both the Shudehill and Smithfield Conservation Areas. These areas, and the routes through them, were associated with the early industrial and commercial development of Manchester. Many of the original buildings have now gone and the area is characterised by a mixture of large, modern commercial properties, with a few older buildings remaining. The area is subject to ongoing regeneration and forms part of the City Centre North Development Framework area (NOMA).
5. The proposed digital display would replace an existing 48 sheet illuminated sign. Whilst the actual display would be of a similar size to that of the existing sign, the structure as a whole would be much more substantial and would be considerably higher, significantly exceeding the height of the adjacent large

road sign. Whereas the space underneath the existing sign is open, the proposed sign would have a large, solid base which would be dark in colour. The height and form of the sign would significantly increase its prominence in the street scene, compared with the existing situation.

6. There are tall buildings and busy roads surrounding the site, but the area retains a human scale, with Shudehill being a well-used pedestrian route. When viewed from the street, the proposed sign would appear overbearing and dominant due to its large size and solid form, causing harm to amenity.
7. Whilst the impact on the adjacent substation is not of particular concern, the proposed advertisement would appear overly large and dominant in relation to the adjacent terrace of traditional red brick buildings, which are within the Shudehill Conservation Area. Despite the current vacant state of the nearest property, 97 Shudehill, these buildings nonetheless contribute positively to the conservation area and are considered by the Council to be non-designated heritage assets. These decorative buildings are smaller in scale than many of the more modern buildings around. The sign would be sited in close proximity to No 97, and due to its scale and form, would appear overbearing and obtrusive, causing harm to the setting of the Shudehill Conservation Area.
8. As a result of its height, the proposal would impact on the existing open views across the car park to the Grade II listed CIS Tower, reducing the visibility of the lower part of this important building from Shudehill. Although the listed building is some distance away, the views across the car park form part of its setting, which would be detrimentally affected by the proposed large sign.
9. The proposal would cause harm to the visual amenity of an important gateway into the city centre. As such, it would fail to make a positive contribution to the wider regeneration strategy for the area.
10. I conclude that the proposed advertisement would cause harm to the amenity of the area.
11. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are relevant. Saved Policy DC15.1 and DC15.2 of the City of Manchester Unitary Development Plan (UDP) 1995 are concerned with advertisements and their effect on visual amenity, and are directly relevant to the proposal. Saved UDP Policy E3.3 and Policies DM1, EN1 and SP1 of the Manchester Core Strategy Development Plan Document 2012 (CS) are all concerned with protecting visual amenity and therefore have relevance to the proposal. Saved UDP Policies DC18.1 and DC19.1, and CS Policies CC9 and EN3, are all concerned with amenity in relation to heritage assets including conservation areas and listed buildings and are also relevant. I have concluded that the proposed advertisement would harm amenity, and therefore conflicts with these policies.
12. The proposal also conflicts with the provisions of the National Planning Policy Framework regarding high quality design and protection of the historic environment.
13. CS Policy T1, regarding sustainable transport, is of limited relevance to this proposal.

Conclusion

14. For the reasons outlined above the appeal is dismissed.

R Morgan

INSPECTOR