



Appeal Decision

Site visit made on 17 January 2023

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 15th February 2023

Appeal Ref: APP/B4215/W/22/3307991

43-45 Piccadilly Gardens, Manchester M1 2AP

- 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 Gerry O'Brien against the decision of Manchester City Council.
 - The application Ref: 134272/AOH/2022 dated 5 July 2022, was refused by notice dated 18 August 2022.
 - The application is for scaffold shroud screen advertisement measuring 18m x 7m with external illumination and set within a brick mural surround.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. This appeal represents the latest such appeal for similar temporary advertisements upon this site, all except one were allowed. The latest decision was APP/B4215/Z/21/3283911 which dismissed the appeal for retention of scaffold screen advertisement measuring 20m x 10m with external illumination and set within a brick mural surround for a further period of 12 months.

Main Issues

3. The main issue is the impact of the proposal upon the visual amenity of the area including the Stevenson Square Conservation Area and upon the setting of an adjacent Grade II Listed Building at number 47 Piccadilly.

Reasons

4. The appeal site occupies a prominent corner plot serving Lever Street and Piccadilly within the heart of Manchester City centre. Currently the site is occupied by extensive scaffolding that is supporting the adjacent Grade II Listed Building of 47 Piccadilly and has done for some considerable time following the demolition of an adjacent building in around 2007. The scaffold is currently clad in a printed material reflecting traditional brick motifs but was devoid of any advertisement at the time of my site visit.
5. The site is located within the designated Stevenson Square Conservation Area and I have evidence before me that the Listed Building at number 47 is in poor repair and has continued to deteriorate since the time of the existing applications dating back to around 2013. It also appears to me that part of the original justification for continued temporary uses of this scaffold to display

advertisements has been to both cover up the unsightly scaffold and to help sustain the Listed Building until such time as a viable scheme manifests itself to repair and redevelop the site.

6. The proposal before me seeks permission to continue with the presence of the scaffold shroud and associated advertisement. This latest scheme would differ from a previous proposal in the fact that the advertisement panel would measure around 18m by 7m instead of 20m x 10m. The appeal is for another temporary period of twelve months or until such time as development on the site gets underway. To date no such redevelopment has occurred although there is a recent planning and Listed Building Consent application awaiting determination at the time of writing. The Appellant's fall back position would see the removal of the whole shroud covering and the scaffold would be laid bare and visible. By the Appellant's own admission this scaffold is now old and unsightly.
7. In assessing this appeal, I am required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay 'special attention' to the desirability of preserving or enhancing the character or appearance of the Stevenson Square Conservation Area and by Section 66(1) of the same Act to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. The Act is reflected in The National Planning Policy Framework (The Framework), which illustrates the positive contribution that heritage assets can make to the creation of sustainable and economically viable communities. This desire is also reiterated in Local Plan Policies DC18.1.e and DC19.1.d which place considerable emphasis upon the impact of development proposals upon the amenities of an area and the historic environment.
8. The Stevenson Square Conservation Area covers this area and the appeal site is located around its southern alignment fronting onto the present Piccadilly Gardens. Within the Conservation Area there are several Listed Buildings that reflect the area's 18th century domestic development followed by its later industrial and commercial past associated with the city's cotton industry in particular. The Listed Building at number 47 likely dates back to around 1776 and incorporates an 18th century townhouse with later, Victorian warehouse extensions. I saw on my site visit the polite frontage of the building facing Piccadilly and the more functional warehouse range to the rear with its taking in doors giving a strong impression of the site's history.
9. I also saw on my site visit that the Listed Building is effectively being buttressed by the existing scaffold. Despite this there appeared evidence of historic water ingress and some elements of vegetation growth within the external fabric of the structure. I also note the efforts of the Appellant to tidy and secure this site and I have no doubt that these efforts have made some difference to the ease of management of the property.
10. In assessing this appeal I, like the Inspectors before me, see that there is a need for a viable scheme upon this site. I consider that any distraction from this aim would likely cause further detriment to the fabric of the Listed Building and the character and appearance of the Conservation Area. This would occur through the continuation of the presence of a building of historic importance being left in a poor state of repair along with that of an undeveloped site within such a prime city centre location. Although there

has seemingly been some progress in the fact that there are now applications being considered, there is still no guarantee that such schemes would either be acceptable, or that they would be forthcoming subject to any planning approvals.

11. Therefore, although I see the minor benefit in maintaining this shroud over the scaffold without any advertisements due to some mitigating visual effect, I do not consider the display of another such advertisement here would be beneficial to the visual amenity of the area or would enhance the likelihood of the regeneration of this site.
12. The proposal would therefore continue to result in a large scale advertisement that would dominate the Listed Building and cause significant harm to the amenities of the area due to its scale and prominent position within the Conservation Area to the detriment of the visual amenities of the area as a whole.
13. Although I do consider that there would some minor benefit in further disguising the scaffold beneath the existing shroud, when compared to the harmful impact upon the appearance of the area caused by a further large scale advertisement, I do not consider that this minor benefit would be enough to outweigh the harm to the historic environment as identified above.
14. In light of the above assessment therefore, the proposal before me would result in the continuation of a harmful intervention that would fail to take the opportunities for good design in order to enhance the overall image of the city in this location or to preserve or enhance the character and appearance of the historic environment. As such the proposal would be cause harm to the visual amenities of the area.
15. Although there would be no impact upon health and safety through this proposal the scheme would be in conflict with Policies CC9, EN3, EN1, T1, DM1, EN12 and SP1 of the City of Manchester Core Strategy as well as Policies E3.3, DC15.1, DC15.2, DC18.1 and DC19.1 of the saved Manchester City Council Unitary Development Plan (UDP) as well as the requirement for such proposals to create high quality and beautiful places as advanced within The Framework. As such the Council's recognition of these policies being pertinent support my assessment above of harm to the visual amenity of the area.

Conclusion

16. For the reasons given above I therefore dismiss the appeal.

A Graham

INSPECTOR