



Appeal Decision

Site visit made on 22 January 2025

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2025

Appeal Ref: APP/B4215/Z/24/3351278

550 Mauldeth Road West, Manchester M21 7AA

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Lidl Great Britain Limited against the decision of Manchester City Council.
 - The application Ref is 139062/AO/2024.
 - The advertisement proposed is 1no. logo sign, 1no. flagpole sign, 1no. poster display unit, 1no. directional sign, 3no. large mounted billboards.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site was granted planning permission for a food store. The land was vacant and the food store had not been constructed at the time of my site visit. The location plan also shows the footprint of a building with a large floor area immediately adjacent to the right hand side of Hough End Hall (a Grade II* listed building). There was no building in this location when I observed the site and appears to be the general location of the food store.
3. The appeal application sought consent for a number of signs associated with the food store. The Council issued a split decision which granted consent for all of the signs proposed except the internally illuminated flagpole sign. The appeal therefore relates solely to the Council's decision to refuse to grant express consent for this one advertisement. I have considered the appeal on this basis.
4. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 set out that powers shall be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material; and any other relevant factors. I have also had regard to the latest version of the National Planning Policy Framework, which was revised in December 2024 (the Framework).
5. The appeal site is located within the setting of Hough End Hall, a listed Grade II* building. Having regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the duty to have special regard to preserving a listed building or its setting does not apply to applications for advertisement consent although factors relevant to amenity include the presence of features of historic, architectural, cultural or similar interest.

6. The Council did not submit the listing for Hough End Hall. However, the 'Wikipedia' page provided by the Council, shows a web-link to the Historic England official list entry¹. I was able to review this online and am satisfied that no parties are prejudiced by this as the link was shown in the Council's evidence and the listing is publicly available.
7. The Council does not object to the effects of the proposal on highway safety or public safety. There is nothing to lead me to a different conclusion in that respect based on the evidence before me.

Main Issues

8. The main issues are the effect of the flagpole sign on the interests of amenity, with particular regard to the visual amenity of the area and whether it would preserve the setting of the Grade II* Hough End Hall.

Reasons

9. The appeal site comprises a vacant parcel of land, adjacent to the western side of the dualled Mauldeth Road West, a main busy vehicular and tram route between the Princess Road (A5103) and the Manchester Outer ring Road (M60). Located on the corner at the junction with Nell Lane, the appeal site is highly visible and prominent. The appeal site is also adjacent to the tall multi storey building at Mauldeth House and Hough End Hall, both of which appeared vacant. Chorlton High School, which also consists of modern large scale multi-storey buildings, is located to the north of the site.
10. The opposing side of Mauldeth Road West is predominantly residential, but there are with traditional commercial buildings on the opposing corners of Nell Lane. Advertisements are mostly restricted to smaller scale signage and fascia signs, and do not have a dominant presence. Despite the urban influences and transport infrastructure the area has a spacious character, enhanced by traditional buildings, numerous trees and open space.
11. Hough End Hall, a former Manor House to a prominent local family, is an impressive two and a half storey brick building originating from circa 1596. Appearing slightly overshadowed in close proximity to large scale buildings, its windows, finialed gables and chimneys referred to in the listing description are very prominent even at distance. It is a building which is very visible in the area and I have no evidence that the currently undeveloped land towards the corner of the appeal site was ever occupied by tall development. Taking the above into account, the special interest and significance of this asset stems from its architectural, historic and social interest. Given its visibility in the wider area, it would be readily appreciated by the local residents and therefore its significant is also derived from its communal interest.
12. The setting of Hough End Hall comprises the immediate surrounding buildings, those across Mauldeth Road West and open spaces in the wider area, which includes the appeal site. Although there is open palisade fencing, and tall buildings around it, from my observations there is a clear visual line of sight across the appeal site from both Nell Lane and Mauldeth Road West from multiple and wide ranging directions. The appeal site is part of the setting and allows the

¹ Hough End Hall, Nell Lane List entry number 1283002

appreciation of the building. Given the surrounding urban and developed environment the open appeal site in particular makes a positive contribution to the significance of this listed building.

13. The flagpole sign is shown at the corner of the appeal site close to the junction of Nell Lane and Mauldeth Road West. As part of the approved scheme it appears to be positioned in a narrow landscape strip in front of an open car park. There would be a significant separation from the approved food store building and other built development from the flagpole sign. Therefore the tall, wide and vivid flagpole sign would stand prominently and in relative isolation. It would not relate well to the proposed food store. In the context of the surrounding area it therefore would be seen as an isolated and incongruous advertisement within the streetscene.
14. The flagpole sign would not fully obstruct views of the listed building. The bulk of the flagpole sign would also be above head height. However, in my view, the flagpole sign would only not intrude into views of Hough End Hall when viewed relatively close to the sign. The wide front face of the advertisement would be parallel with Nell Lane and due to its scale the modern vibrant large and clear nature of the advertisement, would intrude significantly into views of the listed building from the wide junction with Nell Lane and Mauldeth Road West to the south which allows extensive views across the site towards the listed building. From the evidence before me, this would not be significantly affected by the siting of the proposed food store.
15. The approved food store would conceal the right hand side of Hough End Hall. However, the flagpole sign would further obscure some of the listed building and in particular the interesting architectural features referred to above on the prominent front elevation. Notwithstanding that there is likely to be a significant number of vehicles parked in the appeal site, these will be lower. The advertisement would be obtrusive, jarring in the area but it would also erode the contribution that an open and unobstructed setting towards the front elevation of the listed building makes to its significance.
16. I therefore conclude that the proposal would be harmful to the interests of amenity. The size and incongruous location of the flagpole sign would harm the visual amenity of the area. The proposal would be obtrusive and would obscure and interfere with the wide ranging views across the site. Thus it would not preserve the setting and the significance of the Grade II* Hough End Hall.
17. In so far as they are material to the decision the proposal would not accord with the provisions of Policies EN1, EN3, SP1, EN1, EN3 and DM1 of the Manchester Local Development Framework Core Strategy 2012 (updated March 2024) and Saved Policy 19.1 of the Manchester Unitary Development Plan, adopted 1995. Together they seek good design which has regard to local character and which preserves or enhances listed buildings, including their setting. For similar reasons there would also be conflict with the Framework paragraph 141 where it advises that poorly sited and designed advertisements can affect the quality of places. There would also be conflict with paragraph 212 which requires great weight to be given to the conservation of heritage assets.

Other Matters

18. The road environment is highly organised due to the central reservation and tram lines. There is no substantive evidence that the road or junction is unsafe or that

the flagpole sign is necessary for highway safety. Nor is it clear why it is necessary to provide information to customers at this highly visible location particularly given the other advertisements for which the Council granted express consent. Furthermore it has not been shown that other signage in either a less obtrusive location or more sympathetically designed could not serve a similar function.

19. The Council's policies and the Framework provide support for economic growth. However, the power to control advertisements under the regulations is exercised in the interests of public safety and amenity, any small social or economic benefits emanating from the proposed advertisement including the operational requirements of the appellant does not outweigh my conclusions on the main issue. I am not of the view there would be harm arising from cumulative impact of advertisements in the area. However, this nor the absence of harm in relation to public safety matters, illumination or absence of objections from some consultees outweigh the concerns I have identified above.

Conclusion

20. The flagpole sign proposed would not harm public safety but would be harmful to the interests of amenity. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

K Williams

INSPECTOR