The Planning Inspectorate

Appeal Decision

Site visit made on 27 February 2014

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 4 March 2014

Appeal Ref: APP/B4215/H/13/2209537
M&S Simply Food Unit, The Boulevard, Manchester Royal Infirmary, Oxford Road, Manchester, Greater Manchester, M13 9WL

- 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 W H Smith Retail Ltd against the decision of Manchester City Council.
- The application Ref 102793/AO/2013/C1, dated 19 June 2013, was refused by notice dated 3 October 2013.
- The advertisements proposed are 1 internally illuminated fascia sign, 2 non-illuminated plain fascia panels and various vinyl window graphics.

Decision

1. The appeal is allowed and express consent is granted for the display of 1 internally illuminated fascia sign, 2 non-illuminated plain fascia panels and various vinyl window graphics at the M&S Simply Food Unit, The Boulevard, Manchester Royal Infirmary, Oxford Road, Manchester, Greater Manchester, M13 9WL, in accordance with the terms of the application ref 102793/AO/2013/C1 dated 19 June 2013 and the plans submitted with it, for five years from the date of this consent, subject to the standard conditions in Schedule 2 of the regulations.

Procedural Matter

2. At the time of my visit the signage had already been put in place and the application is therefore made retrospectively. The appellant has since submitted an additional plan showing revised dimensions for the signage. However, the position and proportions of the signage on site appears to reflect the form of the advertisements originally shown on the submitted plan ref 9502.13.00 C. The original application therefore provides sufficient information to enable me to determine the appeal on the basis of the plans originally before the Council.

3. The appellant has advised that he considers the 2 smaller non-illuminated fascia signs and the vinyl graphics to be permissible under deemed consent. However, I note that the application and appeal have been advanced on the basis of all 4 elements of signage and I have therefore determined the appeal on that basis.

Main Issue

4. The main issue in this appeal is the visual impact of the advertisements on the building and the surrounding area.

Reasons

5. The appeal site is a single storey commercial unit which adjoins a larger group of hospital buildings on The Boulevard, within the Manchester Royal Infirmary complex. The surrounding buildings are large in scale and are of varied age and architectural styles. The appeal building in contrast is a small, flat roofed addition with a high proportion of glazing on three sides which sits discreetly against a higher blank elevation behind.

6. At the time of my visit the signage was already in place. I noted that the fascia wrapped around three sides of the building and was clearly visible in long ranging views into the site where it sat unobtrusively in the streetscene. The proportions of the sign did not appear overly large for its position and did not detract from the pleasingly uncomplicated lines of the building, which appeared to lend itself well to the use of vinyl graphics and to a fascia of the depth and height proposed. Furthermore, the level of illumination is of an appropriate type and level for the building's setting and I note that the Council have not raised concerns in this regard.

7. The Council has advised that the building is of a bespoke design and that the signage obscures important architectural features to the detriment of visual amenity. The fascia covers a band of high level grey panelling, which lines up with the vertical lines of the window panes below. Previous signage on the building was located on the corners only, and so the upper building treatment would have been visible. Although the current signage obscures this panelling and changes the appearance of the structure, I do not consider that it significantly detracts from the simple and uncluttered appearance of the building. Therefore, I see no reason to consider that the proposal is harmful to the visual amenity of the area or that, as a result, it prejudices wider regeneration initiatives.

8. The Council have drawn my attention to policies SP1, EN1 and DM1 of the *Manchester's Local Development Framework Core Strategy Development Plan Document*, saved policies *DC14.1, 14.5 and E3.3 of the Unitary Development Plan for the City of Manchester* (UDP), and paragraph 2.20 of the *Guide to Development in Manchester Supplementary Planning Document* which they consider to be relevant to the appeal. I have taken them, and guidance contained within the *National Planning Policy Framework* into account as a material consideration, and consider that the proposal would not conflict with these policies. Policy 15.1 of the UDP is also referred to in the decision notice but as it refers to advertisement hoardings does not appear to be directly applicable to this appeal. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves been decisive. For the reasons given above, the appeal is allowed.

Anne Jordan

INSPECTOR