The Planning Inspectorate

Room: 4/04
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Direct Line: 0117-372-8577
Switchboard: 0117-372-8000
Fax No: 0117-372-6241
GTN: 1371-8577
leanne.palmer@pins.gsi.gov.uk
http://www.planning-inspectorate.gov.uk

RECEIVED
06 APR 2009

Mr Kevin Chitty
JCDecaux UK Ltd
991 Great West Road
BRENTFORD
Middlesex
TW8 9DN

Your Ref: KCA120

Our Ref: APP/B4215/H/08/2092223

Date: 3 April 2009

Dear Mr Chitty

Town and Country Planning (Control of Advertisements) (England) Regulations 2007
Appeal by Property Route Ltd
Site at 7-9 Great Ducie Street, Manchester, M3 1PS

I enclose a copy of our Inspector's decision on the above appeal.

Leaflets explaining the right of appeal to the High Court against the decision, our complaints procedures and how the documents can be inspected are on our website – www.planninginspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm - if you would prefer hard copies of these leaflets, please contact me on the above telephone number.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Tel: 0117 372 8252
Fax: 0117 372 8139

E-mail: complaints@pins.gsi.gov.uk

Yours sincerely

Leanne Palmer

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

A17

You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -
http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button

Appeal Decision

Site visit made on 24 February 2009

by R. Owen-Smith BA(Hons) DipTP MSc MSocSc MBA MRTPI MIHT

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

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

☎ 0117 372 6372
email:enquiries@pins.gsi.gov.uk

Decision date:
3 April 2009

Appeal Ref: APP/B4215/H/08/2092223
7-9 Great Ducie Street, Manchester M3 1PS

- 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 Property Route Limited against the decision of Manchester City Council.
- The application Ref: 087628/AOH/2008/C1, dated 3 September 2008, was refused by notice dated 21 November 2008.
- The proposed development is 1 No. advertisement board.

Decision

1. I allow the appeal, and grant express consent for the display of the externally illuminated 96 sheet advert hoarding, as applied for. The consent is for 3 years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional condition:

   1) The hoarding permitted by this consent shall not be displayed on the site after July 2012.

Procedural matters

2. Notwithstanding the proposed development being described in the above terms, the Council, in determining the application, changed its description to "Illuminated 96 sheet advert hoarding." In my view, this is a more accurate description of the proposal. Accordingly, I have considered the appeal on this basis.

3. I note that in its Appeal Statement at paragraph 3.1, the Council states incorrectly the application reference and date of registration, which should be that given above.

Main issue

4. I consider the main issue in this appeal, on amenity grounds, to be whether the advertisement hoarding, as a temporary feature pending redevelopment of the site, would have an adverse impact on the character and appearance of the surrounding area.

Reasons

5. The application is for a temporary period of 3 years. A stated intention would be to develop the site within this period or shortly afterwards, depending upon the prevailing circumstances.

6. The hoarding, measuring overall approximately 4.8 metres high and 12.3 metres wide and featuring an externally illuminated static display, would be erected at the back of the footway. On the other perimeters of the site, the

proposed development would also include the erection of a welded-mesh panel security boundary fence.

7. The site is located a short distance from the city centre within a mixed use area, characterized by buildings of a substantial scale. The site is un-surfaced and is currently used for car parking, being accessed from Mirabel Street to the rear. On adjoining land to the north, 2 No. illuminated 48 sheet advertisement hoardings are erected at a splayed angle to the highway.

8. In terms of prominence, the hoarding would be seen, in southerly views from Great Ducie Street, in the context of the higher abutting railway viaduct, the tall buildings beyond in the city centre and on adjacent sites and the nearby high level advertisement signage on a forward projecting element of the tall building opposite. However, in these circumstances, whilst acknowledging that there is a possibility of advertisement overload, I consider that as a temporary feature forming part of a screen to the car park awaiting development, the hoarding would not form an incongruous or visually discordant feature in the street scene or be over-dominant and intrusive to passing traffic and pedestrians.

9. In terms of appearance, the hoarding would form, in my opinion, an acceptable linear extension of the 2 adjacent hoardings, being of a comparable height and forming a continuous screen, masking the lower sections of the masonry viaduct with its obviously bricked up arches. The addition of another advertising hoarding, albeit a 96 sheet illuminated one, would not look out of place on the appeal site.

10. I note that the Council maintains the locality has seen recent environmental improvements and an increase in residential accommodation. In the circumstances described, I consider that the proposal would beneficially tidy up an inner city centre site, securing the site's boundaries and leading to an environmental improvement to the benefit of the locality.

Conclusions

11. For the reasons given above, I conclude that the proposed advertisement hoarding, as a temporary feature screening the site pending redevelopment, would not materially harm the character and appearance of the surrounding area. I therefore further conclude that the appeal should be allowed, as applied for, subject to a condition limiting its display to no more than 3 years.

R. Owen-Smith

INSPECTOR

Standard Conditions (2007 Regs)

Please note that, in addition to any specific conditions specified in the body of the letter, the standard conditions set out in the Regulations also apply. These are as follows:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to—
   (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
   (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
   (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.