The Planning Inspectorate

Appeal Decision

Site visit made on 23 June 2014

by Victoria Lucas-Gosnold LLB MCD MRTPI

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

Decision date: 30 June 2014

Appeal Ref: APP/B4215/H/14/2218882
84 Great Ancoats Street, Manchester, M4 5BG

- 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 Mark Wilkinson (Infinity Outdoor Ltd) against the decision of Manchester City Council.
- The application Ref 104742/AOH/2014/C2, dated 22 January 2014, was refused by notice dated 21 March 2014.
- The advertisement proposed is a back to back free standing Digital Advertising Display Unit.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:

   - The main issue is the visual impact of the proposed advertisement within the surrounding area; and
   - The effect of the advertisement proposed on public safety.

Reasons

Visual Impact

3. The appeal site, No. 84 Great Ancoats Street (No. 84) is located within a busy, predominantly commercial area on the edge of Manchester city centre. Great Ancoats Street is relatively straight and therefore distant views can be seen of the city centre itself. The appeal site is therefore at a prominent location which acts as a visual gateway to the city. The appeal site is not within a Conservation Area (CA) but it situated directly opposite the Ancoats CA. There are also a number of listed buildings within close proximity of the site, notably including the Grade II* Brownsfield Mill and Daily Express Building and the Grade II listed 72/76 Newton Street.

4. Close to the junction of Great Ancoats Street with Newton Street; tall, brick built buildings line the highway. This establishes a dense urban grain and largely defines the character of the CA close to the appeal site. Further along Great Ancoats Street in the direction of its junction with Port Street, the character of the streetscene becomes more mixed with a range of single storey buildings and large cleared sites adjacent to the highway, some of which are

being used as open surface car parks. There is also a large, modern retail park.

5. No. 84 itself is a single storey building and there is an adjacent open surface car park. I understand that planning permission was granted in 2009 at the appeal site for the erection of a 8 to 13 storey mixed use building comprising residential apartments with a retail and business element. As a result, the existing building on the site was demolished, although part of a wall remains.

6. The appeal proposal would see the erection of a free standing advert located within the car park area at the front of the site closest to Great Ancoats Street. It would be orientated sideways with the highway and would be approximately 15.1 metres in height and approximately 6 metres wide. It would be internally illuminated with a display on both sides.

7. By reason of its height and orientation in relation to the highway, the proposed advert would be in an elevated position when seen in the context of the existing streetscene. This is particularly so given the number of low level buildings and surface level car parks close to the appeal site. As a result, the proposal would be an incongruous, overly dominant feature that would detract from the visual appearance of the surrounding area and distant views of the city centre.

8. Due to its close proximity to the CA and nearby listed buildings, the proposed advert would also be viewed in conjunction with those heritage assets and would be harmful to their character and appearance as a result. Although the appellant disputes whether the Council has specified which listed buildings the proposal would impact upon, they are clearly identified within the Council officer's report.

9. My attention has been drawn to a previous appeal[1]. In that appeal the previous Inspector concluded that the effect of a similar advert which was proposed to be erected at No. 78 Great Ancoats Street would be harmful to the character and appearance of the area. The previous Inspector considered that the appeal proposal would appear large-scale and unrelated to the immediate backdrop of low rise buildings and surface level car parks and therefore not integrated within the street scene.

10. The appellant has drawn my attention to the benefits of the proposed advert, including its high quality, energy saving design and that the maximum luminance value would meet the relevant guidance. Outdoor adverts may well also be appropriate in the context of many commercial areas. However for the reasons given above, I have found that this proposal would not address the context of the appeal site nor provide an iconic marker which would complement this particular location. I also understand that there is an ongoing regeneration initiative in the area to improve the environment and architectural quality and this adds weight to my conclusion.

11. The appellant has also referred to a number of large poster board adverts displayed in the vicinity. In some cases, I acknowledge that hoardings may be acceptable on the basis that they screen building works or disguise or improve unsightly features. Whilst the appeal site may currently have a somewhat untidy appearance, I am in agreement with the Council that due to the

[1] APP/B4215/H/11/2170077 Decision date: 25 June 2012

proposed size and orientation of the proposal it would not serve as an effective screen for the appeal site nor any other site in the vicinity. Additionally, during the site visit I observed little evidence of large, free standing adverts next to the highway of a height and scale similar to the proposed advert in the vicinity of the appeal site.

12. Accordingly, I conclude the proposed advertisement would have a harmful visual impact both at the site and within the surrounding area.

Public safety

13. Great Ancoats Street forms part of the Manchester Inner City Ring Road and is therefore a heavily trafficked route. There are a number of highway features in close proximity to the appeal site. These include a signalised pedestrian crossing, two bus stops (one of which is located directly next to the proposed advert) and a yellow box junction at Great Ancoats Street with Port Street. After that junction, the carriageway splits from two to three lanes. There are also a number of advanced directional signs for vehicles approaching the nearby signalised junction of Great Ancoats Street with Newton Street. On the opposite side of the road is also another junction of Great Ancoats Street with Jersey Street

14. Clearly, there are a number of highway features which a driver must take account of when travelling past the appeal site. Drivers using the highway at this point will therefore be undertaking a range of vehicle movements including breaking, merging and diverging into traffic lanes and overtaking parked buses. There are therefore a number of potential hazards for drivers to negotiate. In this regard, I note that there is a history of accidents close to the appeal site. I understand there have been a total of 22 accidents (1 fatal, 7 serious and 14 slight) in the past 5 years.

15. I appreciate that the advert is intended to attract the attention of a passing motorist for a fleeting moment only, would be simple in design and would be static with no intermittent or flashing light and would incorporate a gradual change of visual display. Nevertheless, given the number of highway features and potential hazards that a driver must take account of, in combination with the accident history in the vicinity, I consider that the proposal would introduce an additional distraction to drivers at this point in the highway that would be to the detriment of public safety. Whilst an outdoor advert displayed in the context of a busy, commercial area may not be an unusual highway feature in itself, I have assessed this appeal in relation to its close context.

16. The appellant has referred to an advert in the vicinity of the appeal site which was granted planning permission by the Council in 2011. However no specific details of that application are before me. I therefore cannot be certain in what way it may be similar to this appeal proposal. I therefore attach limited weigh to this consideration.

17. Accordingly, I conclude that the proposal would be harmful to public safety.

Other Matters

18. The Regulations require that decisions are made only in the interests of amenity and public safety. Consequently, although I have taken into account the policies which the Council have referred to, they have not been a decisive consideration in reaching my decision.

Conclusion

19. For the reasons given above, I conclude that the appeal should be dismissed.

Victoria Lucas-Gosnold

INSPECTOR