



Appeal by Steve Smith, City Outdoor Media against the refusal of advertisement consent by Manchester City Council for 1 no LED digital advertisement to replace 1 no 96 sheet and 2 no 48 sheet backlit advertisements on land at ECP Car Park, Aytoun Street, Manchester.

JUNE 2025



**Town and Country Planning (Control of Advertisements) (England) Regulations
2007 (as amended).**

**Appeal by Steve Smith, City Outdoor Media against the refusal of
advertisement consent by Manchester City Council for 1 no LED digital
advertisement to replace 1 no 96 sheet and 2 no 48 sheet backlit
advertisements on land at ECP Car Park, Aytoun Street, Manchester.**

June 2025

1. Introduction

1.1 This Appeal Statement has been prepared on behalf of Steve Smith of City Outdoor Media, hereafter referred to as the Appellant by planning consultant Susan Jones BA(hons) BPL Affiliate Member of the RIBA and MEWI. Mrs Jones is the sole director of Susan Jones Consultancy (SJC) and has a career spanning more than 40 years. Being a member of the Institute of Expert Witnesses (MEWI), she is bound by their Code of Conduct which emphasises maintaining independence, impartiality, objectivity and integrity. In connection with this particular appeal, she considers the following core principles of the Code of Conduct to be particularly pertinent:

- Act with honesty and integrity in all their dealings.
- Adhere to legal and regulatory requirements and transparency and cooperation in interacting with regulators is expected.

1.2 This Appeal is lodged following receipt of a decision notice dated 28th April 2025 by Manchester City Council relating to an advertisement application ref: 142082/AOH/2025 which was refused advertisement consent to erect 1 no LED digital advertisement to replace 1 no 96 sheet and 2 no 48 sheet backlit advertisements on land at ECP Car Park, Aytoun Street, Manchester for the following reason:

“The proposed advertisement would, by virtue of its siting, design and appearance, have a detrimental impact on visual amenity, and in particular on the character and appearance of the adjacent listed building and the ongoing regeneration of the area. The advertisement would form an unduly obtrusive and incongruous feature within the street scene, thereby negatively impacting on the character and appearance of the surrounding area. The proposal would therefore have an unacceptable and detrimental impact on the visual amenity of the area and constitute unjustifiable harm to a listed building contrary to Sections 12 and 16 of the National Planning Policy Framework, policies SP1, EN1, CC9 and DM1 of the Manchester core Strategy (2012, saved policies DC15 and DC19 of the Unitary Development Plan for the City of Manchester (1995)”

A copy of the decision notice forms Appendix A to this Appeal Statement.

1.3 The adverse decision followed a report by the planning officer assigned to deal with the advertisement application (Max Gibson). A copy of that document now forms Appendix B to this Appeal Statement. It is the officer's report which the Appellant and his professional advisers have relied upon in seeking to understand in detail the council's position concerning the appeal proposal. Therefore, that document and the resulting reason for refusal are addressed in detail below in support of the Appellant's case.

- 1.4 From the officer's report, it appears from its Appendix 1 that the council's conservation/ heritage department were not consulted. Furthermore, the list of consultees also didn't include any heritage amenity groups such as the Victorian Society. Local residents were consulted as well as commercial operations/ public facilities including the Crown Courts (accommodated within the neighbouring Grade II* listed building) and Holiday Inn.
- 1.5 Under the heading of "*Consultations & Notification Responses*" on the second page of the report it is confirmed that no objections were received by the council in connection with this consultation exercise. However, Environment Health stated:

" The screen needs to be installed in accordance with the illuminance levels as stated in the application form."

Furthermore, in raising no objections for highway safety reasons Highway Services stated:

"No objections, require that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users."

2. The Appeal Proposal

- 2.1 The appeal proposal comprises the introduction of 1 no digital display with the dimensions 12.3m x 3.1m x 0.25m (96 sheet) and a maximum illumination level of 600 cd/m² on that part of the existing ECP Car Park, Aytoun Street, Manchester which currently accommodates 1 no backlit 96 sheet (to be replaced). It would also result in the removal of 2 no backlit 48 sheet currently displayed elsewhere on the car park site. All the existing illuminated advertisement displays on the car park site enjoy deemed consent and are currently the subject of a Discontinuance Notice issued by Manchester City Council along with 3 no unlit ECP advertisements. Collectively these advertisements are the subject of current appeal APP/B4215/G/25/3359189. At the point of submitting this appeal the outcome of this Discontinuance Appeal is still to be determined. Therefore, whilst this situation remains unchanged the presence of the existing illuminated advertisements should be treated as a material consideration in the determination of this appeal and represent a credible fall-back position. If, however, whilst this appeal is ongoing, the appeal decision is issued then Mrs Jones will contact Pins confirming the Appellant's resulting up to date position and whether there is a change of circumstances which warrants an amendment to the Appellant's case. The Appellant deliberately held back the lodging of this appeal as long as possible in the hope that the discontinuance notice appeal would be determined beforehand.

However, given that time was running out to lodge this appeal he has had no choice now but to proceed.

2.2 The advertisement application which is now the subject of this appeal was validated on 6th February 2025. It was accompanied by a detailed Planning Statement prepared by Susan Jones and supporting Heritage Statement by Border Archaeology given the proximity of the Appeal Site to a Grade II* listed building (Manchester Crown Court, formerly City Police Courts) and the Whitworth Conservation area. The key drawings and images submitted which related to the existing and proposed situation are 3037/01 Rev C (site location plan), 02 Rev E (existing site plan), 03 Rev F (proposed site layout), IMG1 Rev A (existing view 1), IMG2 Rev D (proposed view 1), IMG3 Rev A (existing view 2), IMG4 Rev C (proposed view 2), 04 Rev G (front elevation – existing /proposed) and 05 Rev F (proposed display dimensions). A Transport Issues Statement also accompanied the application as well as a Lighting Report which compared the illumination of the proposal with the existing backlit displays. All of these documents are submitted as background information in association with this appeal.

2.3 During the development control process planning officer Max Gibson sent an email to Mrs Jones who also acted as agent for the then applicant. A copy of that email now forms Appendix C of this Appeal Statement and sought clarification regarding what was intended for the existing ECP advertisements on the car park site with the introduction of the proposal. Mrs Jones confirmed that they would remain.

3. The Appeal Site and Surrounding Area

3.1 The Appeal Site comprises an irregular shaped parcel of land of linear form adjoining the eastern side of the surface car park owned by ECP immediately adjoining Aytoun Street (A6). The car park which is triangular in shape also adjoins Auburn Street and Minshull Street with the latter providing vehicular access into the car park. A surface car park has been present on the site for over 40 years following the demolition of the former building known as the “Hughes Building” in 1974. An in-depth assessment of the historical background to the site and surrounding area as well as the existing character of the area within which the Appeal Site is situated is included within the two heritage documents which have been prepared by Border Archaeology and supported the subject application.

3.2 The Appeal Site currently occupies 3 no backlit advertisements operated by the Appellant (i.e. 2 no 48 sheet and 1 no 96 sheet) and 2 no non illuminated advertisements which are operated by ECP in connection with the car park use.

4. The Planning History of the Appeal Site

- 4.1 The Appeal Site forms part of a larger site which is used as a commercial car park owned and operated by ECP for members of the public to use. All the planning history set out below concerns advertisement proposals relating to the Appeal site.

Application 106884/AOH/2014/C2

- 4.2 This application was approved by the Council in 2014 and involved a single sided freestanding “Mega 96” illuminated hoarding with the same dimensions as a later digital display proposed in 2021/2022 which is referred to below (i.e. 18.6 x 4.650.265m) and adopted the same positions (LPA ref: 132240/AOH/2021). The application was approved on 23rd October 2014 and a copy of the decision notice and officer’s report now form Appendix D to this Statement. The decision notice included condition 3 which confirmed that express consent was for a period of 39 months beginning on 18th December 2014. The expiry date of the express consent was given to be 19th March 2018. The reason given for the condition was as follows:

“To enable the City Council to consider the acceptability of the continuance of the display of the advertisement hoardings at the site on the expiry of the express consent, having regard to visual amenity and changing circumstances in the locality in order to comply with policies DM1, EN1, EN3, CC9, T1 and SP1 of the adopted Core Strategy for the City of Manchester and saved policies E3.3, DC15.1 and 15.2 and DC19.1 of the Unitary Development Plan for Manchester.”

- 4.3 Under the heading of “Visual Amenity” the planning officer’s report stated as follows:

“The proposals would significantly improve the appearance of the site, by removing the current advertisement clutter and replacing the fence with one which is a more neutral colour. The proposed advertisement would be larger than the largest of the existing advertisement, but the total on site advertising would be reduced by 62.97sq.m. and advertising would be limited to one hoarding in place of the eight existing advertisements. The hoarding would be installed in the location of the largest hoarding but would be set further back from the site boundary to reduce the impact on pedestrians using the adjacent pavement. The proposed hoarding would be within the setting of the Grade II Listed Manchester Crown Court but would be located further from the building than two of the existing double-sided hoardings and the car park signage. The removal of the existing advertisements would also open up views of the listed building and remove the clutter currently affecting it’s setting.”*

4.4 The planning officer then went on to comment on the issue of permanency of the proposed hoarding:

“However, the City Council doesn’t consider this acceptable as a permanent feature given the continuing improvements and investment likely to be made in the locality and its location within views of the Grade II listed Manchester Crown Court, which would be improved by alternative development. Given this, we have agreed with the applicant that a temporary consent of three years would be applied to the approval, which could be renewed in the future. The significance of the improvements is considered to justify the approval of this application on a temporary basis.”*

4.5 As far as National Policy and the Development Plan was concerned in the light of the then proposal the planning officer confirmed that the proposals were considered to be in accordance with the following:

“... Section 7 and 12 of the National Planning Policy Framework, policies EN1, EN3, CC9, SP1, T1 and DM1 of the Adopted Core Strategy for the City of Manchester, paragraph 12.6 of the Guide to Development in Manchester SPD and saved policies E3.3, DC15.1 and DC15.2 and DC19.1 of the Unitary Development Plan for the City of Manchester.”

4.6 Under the heading of “Residential Amenity”, consideration was given by the planning officer to the proposed maximum illumination levels of 600cd/m² which were the same as those existing. It was stated:

“It is possible that the advertisement could be viewed from the neared residential property although this would not be directly adjacent. Given this and its location close to hotel and office accommodation it is considered necessary to limit illumination to those existing. The applicant has confirmed that the current luminance levels are a maximum of 600 cd/m² and would be willing to accept a condition that limits luminance to this existing level. Given the above, the application is considered to be in accordance policies DM1 and SP1 of the adopted Core Strategy for the City of Manchester and saved policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.”

4.7 Finally, under the heading of “Contribution to Regeneration” the following was stated in relation to the proposal:

“In order to continue to attract the quality of development and investment that has previously resulted in high quality development completed in this area, it is extremely important that the visual amenity of this area is safeguarded. The improvements to the site would in turn improve the surrounding environment and assist the realisation of this aim. Given the

above, the application is considered to be in accordance policy SP1 of the adopted Core Strategy for the City of Manchester as the retention of the sign would have positive implications for regeneration in Manchester”

4.8 Given the above detailed assessment, what is clear is that the application at that time was regarded as representing a positive benefit (albeit on a temporary basis) to the Appeal Site, the surrounding environment, the setting of the Grade II* listed Court Building and the future regeneration of the area. Furthermore, Mrs Jones notes that there is no reference within the officer’s report to the consideration at that time of the existing advertisements being the subject of any discontinuance action. Had the proposed advertisement display not been considered acceptable for amenity reasons, even for a temporary period then this permission would not have been approved.

Application 132240/AOH/2021

4.9 The proposal (which was submitted on behalf of the Appellant) and which formed the subject of application 132240/AOH/2021 sought advertisement consent for the erection of a digital display measuring 18.6 x 4.65 x 0.265 m to replace 1 no backlit 96 sheet, 2 no. backlit 48 sheet display and 2 no. car park signs. The scheme also included the replacement of the existing hit and miss fencing which runs along the eastern boundary of the ECP Car Park with a new lower (1.25m high) closed boarded timber fence which would be sited at the back of the pavement and be painted black. The opportunity for the introduction of some feature paving and public art on the southern tip of the car park site also formed part of the proposed scheme. The proposed display would have been internally illuminated and have a maximum illumination level of 600cd/m² during the hours of darkness. Furthermore, it would have been supported by 3 no steel uprights which, along with the rear of the advertisement, would be painted white and the structure would have sat 1.3 metres from ground level to the base of the advertisement.

4.10 The basis of the argument in support of the application by the Appellant was that the proposal was identical to the scheme which was granted temporary consent previously (LPA ref: 106884/AOH/2014/C2) and which hadn’t been implemented (see above). The application, which was not supported by any in depth heritage assessment was refused consent by Manchester City Council on 14th January 2022 for the following reasons:

“1) The proposed advertisement would by virtue of its size, location, design and appearance have a detrimental impact on visual amenity, in particular on the character, appearance and condition of the adjacent listed building, and the character and appearance of the surrounding area constituting an unduly obtrusive and incongruous feature within the street scene, potentially delaying the redevelopment of the site. The proposal would therefore have an unacceptable and detrimental impact

on the amenity of the area and constitute unjustifiable harm to a listed building contrary to Government Guidance contained in Section 12 and 16 of the National Planning Policy Framework, the Core Strategy for the City of Manchester in particular policies EN1 (Design Principles and Strategic Character Areas), CC9 (Design and Heritage), EN3 (Heritage) DM1 (Development Management) and SP1 (Spatial Principles) and saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters) DC19.1 (Listed Buildings) of The Unitary Development Plan for the City of Manchester (UDP).

2) The proposed advertisement, due to its siting and appearance, including its size and design, would have a detrimental impact upon visual amenity and regeneration - including the ongoing regeneration of the area in a prominent location within an area of the City Centre, which has seen considerable financial investment and regeneration activity resulting in an area of increasingly high amenity value - by delaying the redevelopment of a site in a highly prominent location and having a poor appearance within the street scene. It is therefore considered that the proposal would be inconsistent with the Core Strategy for the City of Manchester in particular policies EN1 (Design Principles and Strategic Character Areas), DM1 (Development management) and SP1 (Spatial principles)."

4.11 An appeal (APP/B4215/Z/22/3294291) was lodged against this adverse decision which was subsequently dealt with by way of the Written Representations procedure. The council relied on the arguments advanced in their associated officer's report. In dealing with the heritage issues identified the Appellant relied on the Heritage Statement submitted in support of the neighbouring student accommodation building (now built and known as the "Kampus") application which was approved in September 2016. However, this approach was not accepted by the appointed inspector who dismissed the appeal (see a copy of the decision letter dated 29th November 2022 at Appendix E) taking the view that it had little relevance (paragraph 15). In the officer's report (Appendix B) relating to the current appeal proposal considerable weight is attributed to this decision with various comments made by the Inspector being specifically referred to.

4.12 At para 9 of the 2022 appeal decision letter the Inspector stated:

"Travelling north along Aytoun Street, there are good views of the side elevation of the listed building, thereby enabling a greater appreciation of its architectural composition. However, owing to their size and positioning, the existing advertisements within the appeal site already dominate the foreground, harmfully interrupting public views of the listed

building. Therefore, I consider that the scale and positioning of the existing advertisements have a detrimental effect on the visual amenity of the area, particularly in relation to the setting of the Grade II listed City Police Courts... Far from setting a desirable precedent for the appeal proposal, these pre-existing advertisements carry very limited weight in support the appeal.”*

- 4.13 No consideration was given by the Inspector to the presence of a realistic fall-back position concerning the existing advertisements on the Appeal Site in dismissing the appeal and therefore the failure to apply any significant weight to their presence was considered not to be the correct approach.
- 4.14 Furthermore, as stated above the evidence before the Inspector at the time of making his decision did not include any specific input from any heritage expert from either party. Furthermore, Inspector Tweedle did not claim any heritage expertise/ qualifications himself. In the light of this the view is taken that this appeal decision should carry limited weight in the determination of this appeal.

Application 140398/AOH/2024

- 4.15 23 On 28th June 2024 Manchester City Council validated an advertisement application submitted by the Appellant which sought express consent for the display of a freestanding 1 no LED digital advertising display with the dimensions 12.3 x 3.1m x 0.25 m on the appeal site. Whilst occupying the same position as the previous proposal which was the subject of the aforementioned 2022 dismissed appeal, the proposal which also included the removal of the existing backlit displays which enjoy deemed consent, was considerably smaller. The application was supported by the aforementioned heritage report by Border Archaeology (but not the addendum document which now also supports the proposal which is the subject of this appeal). Its author was Stephen Priestley, MA MCIFA who has extensive experience as a heritage expert having been previously employed by English Heritage and as a research consultant for Cadw and British Waterways. Also supporting the application was a Planning Statement which was put together by Susan Jones. Within that document para 3.2 addressed the Appellant's existing advertisement displays on the site which enjoy deemed consent, confirmed that if the application was unsuccessful then the Appellant would retain the displays and that was therefore in her opinion “...a realistic fallback position”. On that basis she confirmed that she didn't agree with the aforementioned 2022 appeal inspector that “...these pre-existing advertisements carry very limited weight in support of the appeal.”
- 4.16 On 23rd August 2024 the Appellant's agent Mrs Jones received communication from planning officer Max Gibson that under Section 70A of the Town and Country Planning Act 1990 (as amended), as modified in Part 2 of Schedule 4

to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) Manchester City Council declined to determine the application. The reason given for this decision was that in the opinion of the local planning authority the proposal under consideration “...is similar to the previous application for express consent considered under reference: 132240/AOH/2021, that the local planning authority refused by notice on 14th January 2022, and the Secretary of State subsequently dismissed at appeal under reference: APP/B4215/Z/22/3294291 on 29th November 2022.”

The letter continued by stating:

“There has been no significant change in the relevant considerations since the dismissal of the appeal and the Council remain of the opinion that the proposal fails to comply with local and national policy, in so far as they are material to the application.”

A copy of that letter is attached as Appendix F.

- 4.17 A Judicial Review pre-action protocol letter was subsequently sent to the council on behalf of the Appellant by Addleshaw Goddard Solicitors on 11th September 2024. A copy of that letter and the council's response dated 25th September 2024 are now attached as Appendix F. The Appellant and his professional advisors didn't agree with the council's position but by that time it was only just over two months before the aforementioned two-year period lapsed and after then the council would not have the power to decline the resubmitted application. The decision was therefore made by the Appellant not to pursue the matter further and wait for the two-year period to expire. This therefore led to the submission of the application which is now the subject of this appeal in early 2025.

ENF/15345/22

- 4.18 Manchester City Council served a Discontinuance Notice on the Appellant and ECP on 19th November 2024. The notice sought the removal of all of the illuminated advertisements operated by the Appellant on the Appeal Site and 3 no advertisements (non-illuminated) operated by ECP in discontinuing the use the land for the display of all those advertisements which fall within Class 13 of Schedule 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 “..to remedy a substantial injury to the amenity of the area...”. An appeal was lodged against the notice by the Appellant and given the reference APP/B4215/G/25/3359189. A decision is still awaited on this appeal at the time of preparing this Appeal Statement and therefore the notice is currently held in abeyance.

5. Relevant Planning Policies

- 5.1 Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states as follows:

(1) *“A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account*

—

*(a) the provisions of the development plan so far as they are material:
and*

(b) any other relevant factors...”

On the fifth page of the planning officer’s report (Appendix B) with respect to the appeal proposal the following is stated:

“The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the adjacent Conservation Area and Public Safety. The main policies that relate to the assessment of the proposal are the Town and country Planning (Control of Advertisements) Regulations 2007 and the Core Strategy policies DM1 (Development management), SP1 (Spatial Principles, the Saved Policies contained within the Unitary Development Plan for Manchester in particular DC15 (Advertisements, Hoardings and Posters) and DC19 (Listed Buildings) and the National Planning Policy Framework, in particular Section 12 (Achieving well designed places).”

5.2 The following Core Strategy Policies which are relevant to this appeal and referred to in the reason for refusal are as follows:

“Policy EN1 (Design Principles and Strategic Character Areas) states that opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes.

Policy CC9 (Design and Heritage) states that the development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments

Policy EN3 (Heritage) states that throughout the city, the Council will encourage development that compliments and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods including those in the City Centre. New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings, included scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.

Policy DM1 (Development Management) states that all development should have regard to appropriate siting, layout, scale form, massing, materials and detail, the effects on amenity including road safety and the character of the surrounding area.

Policy SP1 (Spatial principles) states that all development must make positive contribution to areas of choice including creating well designed places that enhance or create character and protect and enhance the built environment”

Furthermore, it is also noted that in the reason for refusal reference is also made to saved policies DC15 (Advertisements, Hoardings and Posters) and DC19 (Listed Buildings) of The Unitary Development Plan for the City of Manchester (1995). Such policies were however referred to in the planning officer’s report relating to the aforementioned application 106884/AOH/2014/C2 and were not considered to be prejudiced by that proposal. UDP policy 15.2 identifies key criteria to take account of in assessing amenity and safety interests. Those key criteria which are considered relevant here are as follows:

a) *“Development of this kind should not harm the character or architectural features of a building.”*

As demonstrated by the evidence of Border Archaeology the proposal would accord with this requirement.

b) *“They should be in scale with the locality and relate properly to the site on which they stand*

With the exception of the car park adjoining the Appeal Site which creates open views of the nearby listed building from different directions, the scale of the surrounding buildings is significant particularly the aforementioned “Kampus” development. In many cases they would “tower” over the proposed advertisement which would align well with the boundary fencing of the car park.

c) *“They should be unobtrusive and should not intrude into residential neighbourhoods and Areas of “high amenity value”.*

The planning officer in his report at Appendix B suggests that as there are residential units within the locality of the Appeal Site then the proposal would not meet this requirement as it would intrude into a residential neighbourhood. Mrs Jones does not agree with this position. She can find no definition of what the council considers to be a “*residential neighbourhood*”. She therefore has considered the character of this area and takes the view that it is defined by a mix of uses comprising residential/ commercial/ hospitality/ public/ car park. This is she considers typical of many areas within the central core of Manchester City and most certainly cannot be considered a residential neighbourhood. Turning to whether this area can be classed as a high amenity area. Border Archaeology supports this proposal and does not therefore consider it would be an “intrusion” despite the presence of the nearby conservation area and Grade II* listed building. Furthermore, Mrs Jones would have expected opposition to the proposal if considered a threat from the Victorian Society – Manchester Group which is a non-profit making organisation to promote awareness and protection of Victorian and Edwardian buildings (1834 – 1914). She is therefore of the opinion that this requirement is also met by the proposal.

5.3 No specific reference is made in the reason for refusal which is the subject of this Appeal to the Aytoun Street Strategic Framework 2015 (SRF) although it is referred to on numerous occasions within the associated planning officer's report. Mrs Jones however is concerned that the officer has been very selective concerning the references referred to and a number of important and material issues have been excluded. It is strongly advised therefore that the appointed Inspector looks in detail at this document which, although not part of the Development Plan, is a material consideration in the determination of planning applications.

A complete copy of the SRF now forms Appendix G to this Statement and the planning policies referred to above are found at Appendix H.

5.4 The following is confirmed at paragraph 1.52 of the SRF document:

"The planning status of this document following its adoption will be as a material consideration in determining all planning applications relative to the Site. Whilst it does not form part of the Development Plan, it has been prepared to be consistent with the adopted policies of the Council's up to date Core Strategy"

5.5 The document refers on page 56 to the ECP car park (including the Appeal Site) to be an area designated as "Zone B" together with other defined areas earmarked for redevelopment identified as Zone A and C respectively. Reference is made at paragraph 4.5 to the production of a number of "redevelopment studies" and paragraph 4.6 states:

"These are included for guidance to demonstrate how proposals for the site could come forward".

Paragraph 4.18 then goes on to comment as follows:

"Within the area designated above as "Zone B" a new 10 to 15 storey building is proposed consisting of a mix of uses most likely residential or hotel use with an active frontage on ground level."

This reference is considered material to the determination of this appeal given that it relates specifically to the existing ECP car park site which, if redeveloped as envisaged with a 10 to 15 storey building would have a significant impact on the existing character of the area including current open views of the nearby Grade II* listed building. Furthermore, in its arguments in support of the discontinuance notice recently served on the Appellant in connection with the aforementioned appeal there was criticism of the lack of an "active frontage" at ground floor level with the existing arrangement. Mrs Jones is of the professional opinion that with the proposed digital display, with its subtle changing images, would create an "active frontage" and therefore meet that requirement.

6. Planning Considerations

6.1 As stated above the Appellant and his professional advisors have relied on the planning officer's report (Appendix B) in understanding more fully the issues referred to in the reason for refusal. Mrs Jones has studied the document in detail and the following errors/ omissions have been identified together with her comments:

- 1) Page 1 - under the heading "*Description of site/ building*" when referring to the existing illuminated advertisements on the Appeal Site the following is stated:

"The applicant states that these hoardings benefit from deemed consent and has provided some information to support this statement".

Mrs Jones fails to understand why the officer does not acknowledge that the council agrees that the advertisements currently enjoy deemed consent given that at the time when the report was written the aforementioned discontinuance notice had already been served. If they did not support this view, then the council would not have served the discontinuance notice as the process is directly related to the deemed consent regime.

- 2) Page 1 - under the heading "*description of area*" - What is referred to is considered by Mrs Jones to represent the wider area and not the immediate surroundings associated with the Appeal Site. She is therefore surprised that the officer doesn't deal specifically with the area immediately surrounding the Appeal Site. It is acknowledged that reference is made later in the report on numerous occasions to the presence of the "Kampus" development nearby and on one occasion the Grade II* listed building but other than that no in depth character assessment is included despite the comprehensive assessment presented by Border Archaeology in its Heritage Statement.
- 3) Page 2 - Under the heading of "*Description of proposal*" it is noted that the planning officer makes no reference to the dimensions of the proposed advertisement. Furthermore, he incorrectly refers to the maximum illumination level proposed to be 300cd/m² when in fact it is 600cd/m². Furthermore, the word "*suggest*" is used to refer to the proposed siting of the advertisement display, therefore implying that there is uncertainty concerning this detail. That is however not the case. In submitting the application, it was made absolutely clear by Mrs Jones that the proposed display would be located in exactly the same position as the existing backlit 96 sheet it would replace.
- 4) Page 4 – the subject proposal of advertisement application 132240/AOH/2021 is described as "*Erection of 1 no 96-sheet display...*".

This is incorrect. The proposal which was the subject of that application was materially larger than a 96-sheet display. It was a “Mega 6 “display with the dimensions 18.6m x 4.65m x 0.265m. It is considered extremely important that the appointed Inspector understands fully the difference in scale between that proposal and the one now under consideration given that the council places so much emphasis on the outcome of the 2022 appeal. To assist the appointed inspector therefore Mrs Jones has put together images of the two proposals side by side at Appendix I so that is absolutely clear that the differences in scale are significant. By contrast Mrs Jones takes the view that the comparison images in the officer’s report at Appendix B are difficult to understand given their lack of clarity and appropriate alignment.

- 5) Page 6 – reference to appeals APP/B4215/Z/20/3257260 and APP/B4215/Z/22/3305629. Comments on the reference to these decisions and how they compare/ contrast with the appeal proposal are referred to below in association with the reference to the third appeal decision (APP/B4215/Z/23/33293901). Copies of all three appeal decision letters are now attached as Appendix J as they were not appended to the officer’s report.
- 6) Page 8 – “*Proposed View 2*” is referred to and the submitted image is also included within the document. The officer comments “*This demonstrates what an improvement to the street scene would be made if the adverts in the entirety were removed. A lack of any billboards would result in a much – improved setting to the listed building and the wider street scene.*” However, the image referred to and shown is the view which would be achieved with the proposed display in place and the 2no existing 48 sheets removed as proposed. Therefore, the aforementioned comments made by the officer are factually incorrect.
- 7) Page 9 – reference is made to the Aytoun Street SRF and the importance of seeking to improve the setting and appearance of the nearby listed building. The officer comments that the proposal “*would fail to meet these requirement..*” Mrs Jones does not agree with this view and also fails to understand how the proposed redevelopment of the car park site with a high rise building (10-15 floors) would meet that requirement given that the existing views in terms of both outward and inward would be completely changed with the loss of the existing open setting which would be improved with the introduction of the proposal as illustrated by Proposed View 2(with the removal of the 2no 48 sheet backlit displays) and agreed by the officer at page 10.

- 8) Page 11 – reference to appeal decision APP/B4215/Z/23/3329390. Mrs Jones has reviewed all three appeal decisions including those referred to at 5) above (see Appendix J). With all three sites as described by the respective inspectors there are a number of differences between the circumstances which relate to each one and the Appeal proposal:

Appeal 3329390

The site falls within a conservation area but not within the setting of a listed building. Furthermore, there was no realistic fall-back position.

Appeal 3257260

The site fell within the setting of two listed buildings and a realistic fall-back position prevailed. However, what was proposed appeared to be a complete like for like replacement in terms of area of advertising so there was no amenity benefit.

Appeal 3305629

The site fell within the setting of two listed buildings, one of which was Grade II*. However, although there was a fall-back position the existing advertisement was a paper and paste display with external illumination so the difference in character/ appearance between that and the digital display was significant. There is therefore no comparison between this scheme and the appeal proposal. Furthermore, as stated above, the application relating to the appeal proposal was supported by a lighting report which demonstrated that the lighting emitted from the existing backlit displays was greater than the maximum which would be achieved with the proposed digital display during the hours of darkness.

There are however a significant number of appeal decisions elsewhere which have been successful whereby the appointed inspector has taken the view that the difference between a backlit display and a digital display with the same dimensions is marginal, for example the decision at Dawson Street, Hulme, Manchester (see Appendix K-Appeal ref: APP/B4215/H/14/2222948). In that case the Castlefield Conservation Area and a Grade II listed railway viaduct were considerations as well as the same policies which are applicable now. As far as the policies were concerned the appointed inspector confirmed: “...*they have not been a decisive consideration in reaching my decision.*” In every advertisement proposal the specific characteristics of the subject site and its surroundings in relation to the proposal are always the key issues when considering impact on amenity and therefore just because an inspector has taken the view that a proposed digital display would be more incongruous and harmful to the setting of a listed building or conservation area than the fall-back display because it is digital does not necessarily mean that every other such proposal should automatically should be treated similarly.

6.2 The view is taken that the supporting documentation relating to application 142082/AOH/2025 is very comprehensive and nothing has changed since they were produced despite the outcome of the application to warrant any amendments to the Appellant's case. The Appellant and his professional advisors do not agree with the council's position which is set out in the decision notice and associated officer's report. For example, if the council had real cause for concern regarding impact on heritage matters then Mrs Jones would have expected evidence to have been produced from a heritage expert with comparable experience to that of Stephen Priestley of Border Archaeology who represents the Appellant. It is thought however that that has not materialised because it would have meant that such an expert would have been professionally bound to consider also the impact which would arise from the aforementioned 10-15 storey building envisaged by the council for the ECP car park.

6.3 If the above comments 1) – 8) are subsequently addressed by the council through appeal submissions Mrs Jones, on behalf of the Appellant, reserves the right to make further representations on behalf of the Appellant at that point. Mrs Jones is of the opinion that the planning officer's report is flawed and does not stand up to detailed scrutiny. It is not sufficient to make sweeping statements concerning the potential impact of the proposal without providing the supporting in depth justification. Furthermore, to cherry pick information and omit key evidence such as the expectation within the SRF for a 10 – 15 storey building on the car park site is concerning.

7. Conclusions

7.1 The view is taken that this appeal will turn on whether or not the appointed inspector is of the opinion that the proposal would be little different from that of the existing display in the same location which enjoys deemed consent (the fallback position). The Appellant and his professional advisors are of the opinion that there would be little difference. Furthermore, it is also considered that the proposed removal of the 2 no existing backlit 48 sheet displays which also enjoy deemed consent would benefit the amenity of the area by opening up views of the nearby Grade II* listed building further.

7.2 Considerable evidence has been submitted in support of the proposal which deals with heritage issues and has been compiled by heritage expert Stephen Priestley who has significant experience in dealing with such matters. No evidence however has been submitted by the council to counter his views. Furthermore, no opposition to the proposal has been advanced by any amenity groups such as the Victorian Society.

7.3 On the basis of the evidence presented in this submission it is respectfully requested that this appeal be upheld and advertisement consent granted in accordance with the proposal.

APPENDIX

A

**DECISION NOTICE
142082/AOH/2025**

Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

Refusal of Advertisement Consent

Applicant

Mr Stephen Smith
City Outdoor Media Ltd
Edward House
North Mersey Business Centre
Woodward Road
Liverpool
L33 7UY

Agent (if used)

Mrs Susan Jones
Susan Jones Consultancy
Arbourfield
West View Road
Norley
WA6 8NR

Part 1 – Particulars of the application

Proposal: 1 no LED digital advertisement to replace 1 no 96 sheet and 2 no 48 sheet backlit advertisements.

Location: ECP Car Park, Aytoun Street, Manchester

Date of application: 6 February 2025

Application number: 142082/AOH/2025

Part 2 – Particulars of decision

Manchester City Council gives notice that consent for the advertisement(s) referred to in Part 1 has been **refused** in accordance with the application and plans submitted for the reason(s) listed below.

Reason(s) for decision

1) The proposed advertisement would, by virtue of its siting, design and appearance, have a detrimental impact on visual amenity, and in particular on the character and appearance of the adjacent listed building and the ongoing regeneration of the area. The advertisement would form an unduly obtrusive and incongruous feature within the street scene, thereby negatively impacting on the character and appearance of the surrounding area. The proposal would therefore have an unacceptable and detrimental impact on the visual amenity of the area and constitute unjustifiable harm to a listed building contrary to Sections 12 and 16 of the National Planning Policy Framework, policies SP1, EN1, EN3, CC9 and DM1 of the Manchester Core Strategy (2012), saved policies DC15 and DC19 of the Unitary Development Plan for the City of Manchester (1995).

Date: 28 April 2025

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision refers only to that required under the Town and Country (Control of Advertisements) (England) Regulations 2007 (as amended) does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse consent, or to grant consent subject to conditions, they may appeal to the Secretary of State in accordance with section 78 and 79 of the Act as amended by the Regulations within eight weeks of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

APPENDIX

B

OFFICERS REPORT
142082/AOH/2025

Planning

Growth & Development

Delegated officer report for planning application

Application no. 142082/AOH/2025
Date registered valid: 11 February 2025
Proposal: 1 no LED digital advertisement to replace 1 no 96 sheet and 2 no 48 sheet backlit advertisements.
Address: ECP Car Park , Aytoun Street, Manchester
Ward(s): Piccadilly Ward

Applicant: Mr Stephen Smith City Outdoor Media Ltd
Agent (if any): Mrs Susan Jones Susan Jones Consultancy
Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 28/04/2025

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 11 February 2025 Expired: 04 March 2025

Neighbour notifications

Printed: 11 February 2025 Expired: 04 March 2025

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

This application relates to an existing surface car park bounded by Auburn Street, Aytoun Street and Minshull Street. The site isn't within a conservation area, but is adjacent to the Grade II* Listed Manchester Crown Courts located to the North West of the site.

Within the car park there are 2no. 48 sheet (6.1m (h) x 3m (w) and 1no. 96 sheet (12.3m (h) x 3.1m (w) static backlit advertising hoardings. The height of the advertisements including their support structures from pavement level ranges between 4.6m and 5.8m and the distance of the existing advertisements from the boundary between the car park and the pavement ranges from 0.2m to 2.8m. The applicant states that these hoardings benefit from deemed consent and has provided some information to support this statement.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable

Description of area

The area relates to the Piccadilly area of Manchester City Centre, where this area abuts Canal Street and the Gay Village. The character of the area comprises many different uses including office, residential, entertainment and leisure, judicial and hotel. There are a greater number of listed buildings and non-designated assets within its environs, together with some flagship mixed use redevelopment.

Description of proposal

The submitted application seeks advertisement consent for the removal of 1 no. 96 sheet, 2 no. 48 sheet advertisement hoardings and the erection of 1no. digital display, together with an associated boundary treatment. Documents submitted by the applicant in support of this application suggest that the new display would be installed in the same location as the existing 96 sheet display and would be of the same overall proportions, albeit with a smaller display by virtue of the digital screen's border. The display would be illuminated to 300cd/m2.

Consultations & Notification Responses

Publicity - letters were sent to surrounding occupiers notifying them of the proposed advertisement. No representations have been received as a result of this publicity.

Environmental Health - No comments to make.

The screen needs to be installed in accordance with the illuminance levels as stated in the application form.

Highways Services - no objections, require that all boundary treatments with frontage to the adopted highway should retain appropriate visibility from a height of 600mm upwards in order to protect sight lines. All gating which is accessed from the highway must be ensured to be inwardly opening, in order to prevent obstruction to passing footway users.

Condition

- (a) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs.
- (b) No individual advertisements shall be displayed for duration of less than 10 seconds.
- (c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel.
- (d) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.
- (e) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.
- (f) The maximum luminance level of the advertisements displayed on the panel should not exceed 600 cd/m2 during non-daylight/ inclement weather.

Issues

Planning history

106884/AOH/2014/C2 - Display of 1no. backlit 'Mega 96 sheet' advertising hoarding measuring 18.6m x 4.65m x 0.265m following the removal of 3no. existing advertising hoardings and 2no. car park signs together with replacement of existing boundary treatment.

- This application was approved for a temporary period of 39 months starting on 18th December 2014, expiring on 19th March 2018.

132240/AOH/2021 - Erection of 1 no. 96 sheet display and the removal of 1 no. 96 sheet, 2 no. 48 sheet advertisement hoardings, 2 no. car park signs and replacement of existing boundary fence

- This application was refused for the following reasons
- - o 1) The proposed advertisement would by virtue of its size, location, design and appearance have a detrimental impact on visual amenity, in particular on the character, appearance and condition of the adjacent listed building, and the character and appearance of the surrounding area constituting an unduly obtrusive and incongruous feature within the street scene, potentially delaying the redevelopment of the site. The proposal would therefore have an unacceptable and detrimental impact on the amenity of the area and constitute unjustifiable harm to a listed building contrary to Government Guidance contained in Section 12 and 16 of the National Planning Policy Framework, the Core Strategy for the City of Manchester in particular policies EN1 (Design Principles and Strategic Character Areas), CC9 (Design and Heritage), EN3 (Heritage), DM1 (Development Management) and SP1 (Spatial Principles), and saved policies DC15.1, and DC15.2 (Advertisements, Hoardings and Posters), DC19.1 (Listed Buildings) of The Unitary Development Plan for the City of Manchester (UDP).
 - o 2) The proposed advertisement, due to its siting and appearance, including its size and design, would have a detrimental impact upon visual amenity and regeneration - including the ongoing regeneration of the area in a prominent location within an area of the City Centre, which has seen considerable financial investment and regeneration activity resulting in an area of increasingly high amenity value - by delaying the redevelopment of a site in a highly prominent location and having a poor appearance within the street scene. It is therefore considered that the proposal would be inconsistent with the Core Strategy for the City of Manchester in particular policies EN1 (Design Principles and Strategic Character Areas), DM1 (Development Management) and SP1 (Spatial Principles).
- The decision was appealed, with the subsequent appeal dismissed under appeal ref: APP/B4215/Z/22/3294291.

140398/AOH/2024

- The City Council declined to determine the application on the following basis:
 - o Under Section 70A of the Town and Country Planning Act 1990 (as amended), as modified in Part 2 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), a local planning authority may decline to determine an application for express consent, if the Secretary of State has dismissed an appeal against the refusal of a similar application in the two years prior to the submission of that application.

In the opinion of the local planning authority, the proposal of this application as set out in the documents and associated plans, is similar to the previous application for express consent considered under reference: 132240/AOH/2021, that the local planning authority refused by notice on 14 January 2022, and the Secretary of State subsequently dismissed at appeal under reference: APP/B4215/Z/22/3294291 on 29 November 2022.

There has been no significant change in the relevant considerations since the dismissal of the appeal and the Council remain of the view that the proposal fails to comply with local and national policy, in so far as they are material to the application; and the factors relevant to amenity and public safety that the local planning authority are required to take into account when exercising their powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Therefore, pursuant to Section 70A of the Town and Country Planning Act 1990 (as amended), as modified in Part 2 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), the Council as local planning authority, hereby declines to determine the application.

As the decision to decline to determine the application has been made within the statutory 8-week period, there is no right of appeal to the Secretary of State against non-determination under Section 78 as that right is lost under the provision of Section 78(2), as modified in Part 3 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

ENF/15345/22

- On 19 November 2024, the local planning authority issued a Discontinuance Notice under Regulation 8, to secure the cessation of the use of the site for the display of those advertisements deemed to fall within Class 13. An appeal has been lodged (APP/B4215/G/25/3359189), and therefore at present the notice is held in abeyance.

Relevant legislation and policy

Town and Country Planning (Control of Advertisements) Regulations 2007

The Local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

(a) the provisions of the development plan, so far as they are material; and

(b) any other relevant factors.

(2) Without prejudice to the generality of paragraph (1)(b)—

(a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;

(b) factors relevant to public safety include—

(i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

(iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(3) In taking account of factors relevant to amenity, the local planning authority may, if it thinks fit, disregard any advertisement that is being displayed.

(4) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed

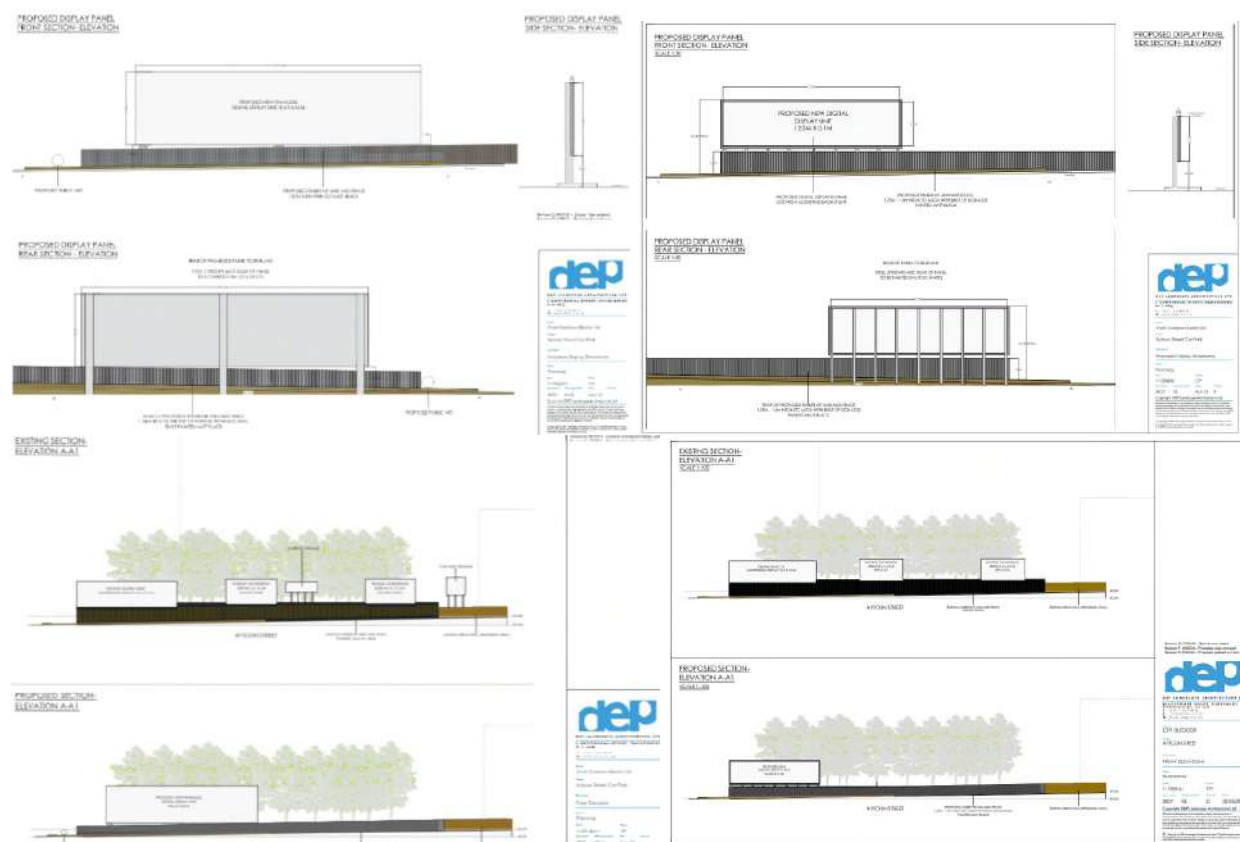
The main issues for consideration relate to the acceptability of the proposal in terms of its impact upon visual amenity, impact upon the adjacent Conservation Area and Public Safety. The main policies that relate to the assessment of the proposal are the Town and Country Planning (Control of Advertisements) Regulations 2007 and Core Strategy policies DM1 (Development Management), SP1 (Spatial Principles), the Saved Policies contained within the Unitary Development Plan for Manchester in particular DC15 (Advertisements, Hoardings and Posters) and DC19 (Listed Buildings) and the National Planning Policy Framework, in particular Section 12 (Achieving well-designed places).

Issues

The Advertisement Regulations require that applications for shop signs be considered only in the interests of amenity and public safety. An assessment of the proposals under these criteria is outlined below.

Visual amenity

The proposal would see the removal of 2no. 48 sheet backlit displays and 1no. 96 sheet backlit display and the installation of 1no. digital billboard in the same location as the existing the 96-sheet billboard. The particulars of the proposal are broadly like the advertisement board that was refused under application 132240/AOH/2021, although the display currently under consideration is smaller in size, with the related appeal dismissed. (See below). The proposal does not include for the removal of any car park signage, as previously proposed under the 2021 application.



Left hand side: drawings submitted under Application reference 132240/AOH/2021

Right hand side: drawings submitted under Application reference: 142082/AOH/2025

Paragraph 136 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. Saved policy DC15.2 states adverts 'should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity

value' and that adverts 'should be in scale with the locality and relate properly to the site on which they stand'. Policy EN1 of the Manchester Core Strategy (2012) states that new development 'should also contribute positively to the experience of all at street level'

In this instance, the City Council considers that the proposed advertisement, by virtue of its siting and design, would be harmful to visual amenity both of the surrounding area and the setting of the Grade II* listed building within which the advertisement site sits.

Digital displays, by virtue of the increased vibrancy of the displays and the movement created by the rotation of advertisements, are more obtrusive than their non-digital counterparts. Hence, they have an additional prominence within the street scene, which results in a dominant and strident feature. Whilst the display under consideration is smaller than that refused under application reference 132240/AOH/2021, by virtue of the digital technology employed the City Council considers that the billboard would still have a significant adverse impact on visual amenity.

Recent decisions by the Planning Inspectorate have concurred with this assessment of digital advertisement displays. A digital display was refused under application reference 127006/AO/2020. The Inspector dismissed the subsequent appeal, under appeal ref: APP/B4215/Z/20/3257260 (appended to this report), noting that:

The significant changes would arise from the use of LED displays and a capability to regularly scroll through individual static images up to a frequency of one every 10 seconds. Although the displays would be slimmer and appear more modern than their existing counterparts, the combined effects of the generally brighter and vivid images, when taken with the 'movement' of the changing individual displays, would cause them to be more obtrusive and increase their visual prominence in comparison to the existing hoardings.

A digital billboard was refused under application reference 133244/AOH/2022, with the appeal against this decision was dismissed under appeal ref: APP/B4215/Z/22/3305629 (appended to this report). The inspector considered that digital displays have increased visual prominence over traditional displays:

'The current arrangement displays paper advertisements externally illuminated by downlights. The differences would be particularly due to the qualities of the paper material and the distinct effect of the lighting which washes down the sign. By contrast the proposed LED sign would have a constant and consistent illumination with a more strident appearance that would catch the eye in a more noticeable manner in both daylight and hours of darkness.'

Given the above, it is considered that a digital billboard at this location, by virtue of its highly prominent appearance, would create a dominant feature in the street scene, thereby harming the visual amenity of the area.

Visual amenity and regeneration

The City Council considers that the creation of an obtrusive, unsightly and unduly prominent element within the street scene at this location would significantly undermine the long-term efforts to uplift the appearance of this area of the City Centre. This is most clearly represented by the Kampus development directly behind the proposed advertisement site, which forms part of the regeneration of the area undertaken as part of the Aytoun Street SRF. The proposed advertisement site is within the Aytoun Street Strategic Regeneration Framework area. The

Aytoun Street SRF has an overarching objective to improve the attractiveness of the area to investment and improve physical connections and permeability.

The regeneration of the area has been a key consideration to the City Council's approach to development in this locale. A previous temporary advertisement consent from 2014 that was granted on the site for the installation of 1no. backlit 'Mega 96 sheet' and the removal of 5 no. signs. The delegated report concluded that, at the time, the proposals would have significantly improved the appearance of the site, by removing the current advertisement clutter and replacing the existing fence with one that is a more neutral colour.

The report also concludes that proposed hoarding would be within the setting of the Grade II*-listed Manchester Crown Court, albeit located further from the building than two of the existing double-sided hoardings and the car park signage. At the time, it was considered that securing the removal of the existing advertisements, could help open up views of the listed building and help to remove the advertisement clutter currently affecting its setting. At that time, this also include the removal of some of the car parking signs.

Crucially, the report is clear that the City Council doesn't consider advertisement boards acceptable as a permanent feature in the carpark, given the continuing improvements and investment likely to be made in the locality and its location within views of the Grade II* -listed Manchester Crown Court, which would be improved by new development. Given this, a temporary consent of three years was applied to the approval, although this was never implemented.

Over ten years on from this decision, the improvements to the area have been realised through the delivery of the Kampus development, one of the flagship regeneration developments of the Aytoun Street SRF, and in the City Centre as a whole. The development and its environs are considered to be an area of high amenity by virtue of the high-quality architecture and landscaping. The Kampus development is also residential led and hence it is considered that the advert would intrude into a residential neighbourhood. Resultingly, it is considered that the proposed advertisement would be contrary to the provisions of policy DC15.2 of the Unitary Development Plan for Manchester (1995).

The proposed digital billboard would visually compete with and obscure the well design development that has been delivered directly behind the site, which has been approved and constructed in line with the City Council's identified regeneration strategies and development plan. The proposed advertisement does not similarly accord with these policies and strategies, demonstrated by the location of the site within an area of the SRF earmarked for further residential development. Its presence would, thus, undermine the City Council's aspirations for the locale and wider City Centre. The Kampus development represents a deliberately planned and coherent design effort of significant architectural quality, which the utilitarian structure of the billboard and the bright, kinetic digital display would stand in stark contrast with thereby undermining the visual presence of Kampus.

Furthermore, the Aytoun Street SRF requires that *'The new development should create active frontages at street level enlivening the public realm towards Chorlton Street, Whitworth Street and Aytoun Street.* Furthermore, the Aytoun Street SRF states that:

The development should enhance the permeability of the area, creating cross-site pedestrian routes. It should positively improve linkages across the Site in order to establish effective connections with the wider area, particularly around key public spaces and pedestrian desire lines – it should seek to ensure that new development helps to contribute to a walkable, pedestrian-friendly environment.

The City Council considers that the presence of the advertisement and related fencing would fail to satisfy this aim, creating a visually imposing and impermeable frontage along Aytoun Street. As per the submitted Transport Issues Statement prepared by Eddisons, the height of the proposed billboard would stand at 4.8m and 5m in height. It is considered that this would not be at a human scale, forming an overly tall feature, thereby creating a feeling of overbearing for pedestrians passing along the footway. This section of Aytoun Street sees a particularly high level of pedestrian traffic owing to the proximity to Manchester Piccadilly station, a major national transport hub.

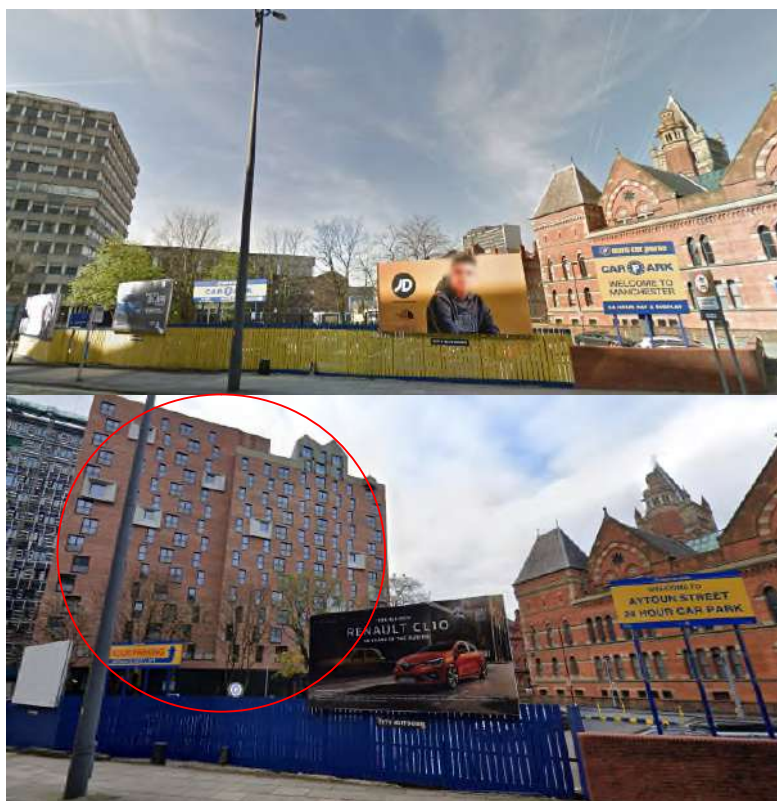
The effect of the proposal would be no different than that created by the existing billboard, which stands at a similar height of c5m. It is considered that the existing display also has this negative impact on the street scene and the way it is experienced. The only manner in which this impact could be successfully ameliorated would be the removal of all advertisement billboards at this location. This is successfully shown by the applicant's own submission 'proposed view 2' (see below). This demonstrates what an improvement to the street scene would be made if the adverts in the entirety were removed. A lack of any billboards would result in a much-improved setting to the listed building and the wider street scene.



Thus, given the overbearing effect that would result from the proposed advertisement, it is considered that the proposal would be counter to the provisions of Saved policy DC15.2 (b) of the Unitary Development Plan for Manchester and Policy EN1 of the Manchester Core Strategy (2012).

Given the above, it is considered that this scheme would be unacceptable as the proposal would create a significant and harmful impact in terms of visual amenity. This would create a

negative impact upon regeneration efforts and improvements to the environment taking place within the area. As a consequence, the overall image of the City Centre would also suffer.



Upper image: the site in 2016
Lower image: the site June 2023 (Kampus in red)
(Source: Google Maps)

Visual amenity and designate heritage assets

The Aytoun Street SRF states that development within the SRF area '*seek to improve the setting and appearance of the Listed buildings on the site, as well as secure their long term future through active reuse*', that '*The proposals should demonstrate that it will not have an adverse visual impact on the setting of the identified heritage assets from either inward or outward looking views*' and that '*Particular attention should be given to the expression of the development in views into the site from Minshull Street, Whitworth Street, Chorlton Street and Aytoun Street.*'

It is considered that the proposal would fail to meet these requirements and that the digital advertisement would be inappropriate within the setting of the listed building, failing to improve its setting; a view that the inspector previously expressed and which formed an integral part of the decision of appeal ref: APP/B4215/Z/22/3294291. The design would be unsympathetic to its special character and appearance, appearing as a clearly modern intervention by virtue of the digital technology that would be employed, thereby harming views of the listed building by the creation of visually intrusive element in the street scene.



Image showing the relationship between the proposed location (in red) and Grade II* listed Crown Courts
(Source: Author's own)

The inspector concurred with this assessment of harm to the setting of the listed building when a decision to refuse a similar digital display at the same location was appealed;

Accordingly, the proposed digital display would appear overly prominent and visually obtrusive in public views of the listed building on the approach along Aytoun Street. This would have a significant adverse visual effect on the setting of the listed building.

The applicant has submitted a heritage statement and planning statement in support of the application. The heritage statement concludes that there would be a slight and positive impact on nearby heritage assets. It is contended that the proposal would result in the removal of existing billboards, thereby opening views through to the listed building. The City Council strongly disagrees with the findings of the Heritage Statement and considers that the digital billboard would create harm to the appearance of the listed building by virtue of its prominent position in views of its south-east facing elevation.

The City Council accepts that the removal of two of the existing billboards would have a positive effect on the setting of the building. However, the introduction of a significantly more incongruous, modern element into the setting of the listed building, would be harmful to the appearance and character of the building.

The City Council wishes to highlight a number of recent decisions on digital advertisement hoardings that it considers pertinent to this application. A digital replacement of backlit non-digital advertisement boards was refused under application reference 127006/AO/2020, with the appeal of the decision dismissed by the planning inspector. This scheme shared similar context to the one under consideration, with the site outside of a conservation area but in the immediate setting of a listed building, the Grade II listed St Chads Church, albeit of less significance than the Grade II* listed Crown Courts. The inspector stated:

'Furthermore, the proximity of the signs to the church would ensure that they feature significantly in the main views of that building and, as they are intended to do, would draw the eye. Although Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply to applications for Advertisement Consent the effect on the listed building is material to consideration of the effects of the visual amenity. The scale of the hoardings and images on display, the illumination and frequency of changing

pictures would detract significantly from the setting and visual experience of the listed building.'

More recently, a digital billboard was refused under application reference 133244/AOH/2022 on visual amenity ground, including the detrimental impact on the appearance of a designated heritage asset, the Grade II*listed London Road Fire and Police Station. The appeal against this decision was dismissed under appeal ref: APP/B4215/Z/22/3305629 (appended to this report). The inspector found that a digital billboard's *'conspicuous situation within the cityscape would render it a discordant feature.'*

A digital billboard replacement was refused under application reference 137288/AOH/2023. The context to this application site was similar insofar that the digital billboard was assessed as being particularly harmful to visual amenity by virtue of its impact on the setting of a designated heritage asset, in this instance the Ancoats Conservation Area. The appeal against the decision was dismissed under appeal ref: APP/B4215/Z/23/3329390 (appended to this report), with the inspector stating the report:

'The scale of the proposal and method of illumination are such that it would be an incongruous feature whose prominence would lead to unacceptable harm to the visual amenity of the area. It would be visible for a significant distance along Oldham Road and would be viewed partly in the context of the more traditional buildings. Consequently, the proposal would be unsympathetic to the character of the CA.'

The City Council asserts that these decisions are supportive of the position that advertisement billboards are inappropriate and unsightly within the setting of designated heritage assets and that there would be a contingent harm to visual amenity stemming from this incongruity.

Other amenity considerations

The applicant has suggested that the digital display would be more easily maintained owing to a coating that allows graffiti to be removed. Any benefits in terms of maintenance and management the proposal may have would largely be benefits for the operator, by virtue of the requirements of the standard condition to which any granting of express consent would be subject in terms of maintenance and amenity. Thus, the City Council considers that this mooted benefit is not material to the considerations of the amenity impacts of this application.

Public safety

No concerns have been raised in regard to public safety by either Environmental Health or Manchester City Council Highways Services, subject to the adherence to a condition controlling the display with regard to content, illuminance (controlled to 300cd/m²) and method of remote control in the event of malfunction.

Enforcement

As noted earlier, the City Council has issued a discontinuance notice against the existing advertisements on the site. This is currently being considered appeal APP/B4215/G/25/3359189).

Conclusion

In summary, the proposed advertisement is considered to be poorly placed due its elevated and highly visible location and its relationship with the nearby listed building. The digital nature of the

display is considered to result in a greater visual impact on the street scene, whilst intruding into a residential area of high amenity value.

Thus, taking into account all material considerations, it is considered that on balance, the proposed sign is poorly placed and would have a significant, negative impact on the visual amenity of the surrounding area, including nearby designated heritage assets, and undermine regeneration efforts.

This application relates solely to the proposal which has been submitted to the City Council and the application is therefore determined accordingly.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Reasons for recommendation to refuse

- 1) The proposed advertisement would, by virtue of its siting, design and appearance, have a detrimental impact on visual amenity, and in particular on the character and appearance of the adjacent listed building and the ongoing regeneration of the area. The advertisement would form an unduly obtrusive and incongruous feature within the street scene, thereby negatively impacting on the character and appearance of the surrounding area. The proposal would therefore have an unacceptable and detrimental impact on the visual amenity of the area and constitute unjustifiable harm to a listed building contrary to Sections 12 and 16 of the National Planning Policy Framework, policies SP1, EN1, EN3, CC9 and DM1 of the Manchester Core Strategy (2012), saved policies DC15 and DC19 of the Unitary Development Plan for the City of Manchester (1995).

Appendix 1 – List of consultees & neighbours notified

Highway Services

Environmental Health

Metrolink

Transport For Greater Manchester

Flat 1203, 28 Minshull Street, Manchester, M1 3GP

Flat 301, 28 Minshull Street, Manchester, M1 3EF

Flat 1104, 28 Minshull Street, Manchester, M1 3GP

Flat 209, 28 Minshull Street, Manchester, M1 3EF

Flat 908, 28 Minshull Street, Manchester, M1 3GP

Flat 210, 28 Minshull Street, Manchester, M1 3EF

Flat 504, 28 Minshull Street, Manchester, M1 3EF

26A Minshull Street, Manchester, M1 3EF

Flat 704, 28 Minshull Street, Manchester, M1 3EF

Flat 702, 28 Minshull Street, Manchester, M1 3EF

Flat 1504, 28 Minshull Street, Manchester, M1 3GP

Flat 1201, 28 Minshull Street, Manchester, M1 3GP

Flat 911, 28 Minshull Street, Manchester, M1 3GP

Flat 403, 28 Minshull Street, Manchester, M1 3EF

Flat 410, 28 Minshull Street, Manchester, M1 3EF

Flat 603, 28 Minshull Street, Manchester, M1 3EF

Flat 506, 28 Minshull Street, Manchester, M1 3EF

Flat 1011, 28 Minshull Street, Manchester, M1 3GP

Flat 810, 28 Minshull Street, Manchester, M1 3GP

Flat 507, 28 Minshull Street, Manchester, M1 3EF

Flat 807, 28 Minshull Street, Manchester, M1 3GP

4C Piccadilly Place, Manchester, M1 3BN

4B Piccadilly Place, Manchester, M1 3BN

The Crown Court, Minshull Street, Manchester, M1 3FS

Flat 39, 12 Minshull Street, Manchester, M1 3FP

Flat 25, 12 Minshull Street, Manchester, M1 3FP

Flat 1, 12 Minshull Street, Manchester, M1 3FP

Flat 14, 12 Minshull Street, Manchester, M1 3FP

Flat 17, 12 Minshull Street, Manchester, M1 3FP

20 Minshull Street, Manchester, M1 3EF

Flat 804, 28 Minshull Street, Manchester, M1 3GP

Flat 1303, 28 Minshull Street, Manchester, M1 3GP

Flat 709, 28 Minshull Street, Manchester, M1 3EF

Flat 703, 28 Minshull Street, Manchester, M1 3EF

Flat 1001, 28 Minshull Street, Manchester, M1 3GP

Flat 310, 28 Minshull Street, Manchester, M1 3EF

Flat 1406, 28 Minshull Street, Manchester, M1 3GP

Flat 1502, 28 Minshull Street, Manchester, M1 3GP

Flat 1009, 28 Minshull Street, Manchester, M1 3GP

Flat 602, 28 Minshull Street, Manchester, M1 3EF

Flat 501, 28 Minshull Street, Manchester, M1 3EF

Flat 207, 28 Minshull Street, Manchester, M1 3EF

Flat 1006, 28 Minshull Street, Manchester, M1 3GP

Flat 1003, 28 Minshull Street, Manchester, M1 3GP

Flat 305, 28 Minshull Street, Manchester, M1 3EF

Flat 805, 28 Minshull Street, Manchester, M1 3GP

Flat 1205, 28 Minshull Street, Manchester, M1 3GP

First Floor, 4 Piccadilly Place, Manchester, M1 3BN
Flat 6, 12 Minshull Street, Manchester, M1 3FP
Flat 9, 12 Minshull Street, Manchester, M1 3FP
Flat 11, 12 Minshull Street, Manchester, M1 3FP
Flat 34, 12 Minshull Street, Manchester, M1 3FP
4A Piccadilly Place, Manchester, M1 3BN
Flat 1301, 28 Minshull Street, Manchester, M1 3GP
Flat 308, 28 Minshull Street, Manchester, M1 3EF
Flat 707, 28 Minshull Street, Manchester, M1 3EF
24A Minshull Street, Manchester, M1 3EF
Flat 610, 28 Minshull Street, Manchester, M1 3EF
Flat 803, 28 Minshull Street, Manchester, M1 3GP
Flat 1308, 28 Minshull Street, Manchester, M1 3GP
Flat 906, 28 Minshull Street, Manchester, M1 3GP
Flat 1202, 28 Minshull Street, Manchester, M1 3GP
Flat 1209, 28 Minshull Street, Manchester, M1 3GP
Flat 306, 28 Minshull Street, Manchester, M1 3EF
Flat 905, 28 Minshull Street, Manchester, M1 3GP
Flat 503, 28 Minshull Street, Manchester, M1 3EF
Flat 1103, 28 Minshull Street, Manchester, M1 3GP
Flat 1503, 28 Minshull Street, Manchester, M1 3GP
Flat 509, 28 Minshull Street, Manchester, M1 3EF
City Inn, 1 Piccadilly Place, Manchester, M1 3DG
Flat 19, 12 Minshull Street, Manchester, M1 3FP
Flat 37, 12 Minshull Street, Manchester, M1 3FP
Flat 10, 12 Minshull Street, Manchester, M1 3FP
Flat 30, 12 Minshull Street, Manchester, M1 3FP
Flat 31, 12 Minshull Street, Manchester, M1 3FP
Flat 7, 12 Minshull Street, Manchester, M1 3FP
Flat 24, 12 Minshull Street, Manchester, M1 3FP
24 Minshull Street, Manchester, M1 3EF
Flat 202, 28 Minshull Street, Manchester, M1 3EF
Flat 1401, 28 Minshull Street, Manchester, M1 3GP
Flat 611, 28 Minshull Street, Manchester, M1 3EF
Flat 605, 28 Minshull Street, Manchester, M1 3EF
Flat 705, 28 Minshull Street, Manchester, M1 3EF
Flat 1506, 28 Minshull Street, Manchester, M1 3GP
Flat 502, 28 Minshull Street, Manchester, M1 3EF
Flat 1207, 28 Minshull Street, Manchester, M1 3GP
Flat 1107, 28 Minshull Street, Manchester, M1 3GP
Flat 1307, 28 Minshull Street, Manchester, M1 3GP
Flat 303, 28 Minshull Street, Manchester, M1 3EF
Flat 608, 28 Minshull Street, Manchester, M1 3EF
Flat 1407, 28 Minshull Street, Manchester, M1 3GP
Flat 607, 28 Minshull Street, Manchester, M1 3EF
Flat 1404, 28 Minshull Street, Manchester, M1 3GP
Flat 801, 28 Minshull Street, Manchester, M1 3GP
Flat 304, 28 Minshull Street, Manchester, M1 3EF
Flat 609, 28 Minshull Street, Manchester, M1 3EF
Flat 1108, 28 Minshull Street, Manchester, M1 3GP
Flat 1305, 28 Minshull Street, Manchester, M1 3GP
Flat 1002, 28 Minshull Street, Manchester, M1 3GP
Flat 1501, 28 Minshull Street, Manchester, M1 3GP
Flat 1110, 28 Minshull Street, Manchester, M1 3GP

Flat 307, 28 Minshull Street, Manchester, M1 3EF
Flat 1005, 28 Minshull Street, Manchester, M1 3GP
Second Floor, 4 Piccadilly Place, Manchester, M1 3BN
Flat 27, 12 Minshull Street, Manchester, M1 3FP
Flat 23, 12 Minshull Street, Manchester, M1 3FP
Flat 18, 12 Minshull Street, Manchester, M1 3FP
Flat 3, 12 Minshull Street, Manchester, M1 3FP
Flat 33, 12 Minshull Street, Manchester, M1 3FP
Flat 402, 28 Minshull Street, Manchester, M1 3EF
Flat 806, 28 Minshull Street, Manchester, M1 3GP
Flat 910, 28 Minshull Street, Manchester, M1 3GP
Flat 201, 28 Minshull Street, Manchester, M1 3EF
Flat 505, 28 Minshull Street, Manchester, M1 3EF
Flat 409, 28 Minshull Street, Manchester, M1 3EF
Flat 1204, 28 Minshull Street, Manchester, M1 3GP
Flat 1505, 28 Minshull Street, Manchester, M1 3GP
Flat 302, 28 Minshull Street, Manchester, M1 3EF
Flat 909, 28 Minshull Street, Manchester, M1 3GP
Flat 604, 28 Minshull Street, Manchester, M1 3EF
Flat 701, 28 Minshull Street, Manchester, M1 3EF
Flat 1507, 28 Minshull Street, Manchester, M1 3GP
Flat 407, 28 Minshull Street, Manchester, M1 3EF
Flat 902, 28 Minshull Street, Manchester, M1 3GP
Flat 711, 28 Minshull Street, Manchester, M1 3EF
Simply Fresh, 4D Piccadilly Place, Manchester, M1 3BN
Flat 4, 12 Minshull Street, Manchester, M1 3FP
Flat 16, 12 Minshull Street, Manchester, M1 3FP
Flat 5, 12 Minshull Street, Manchester, M1 3FP
Flat 2, 12 Minshull Street, Manchester, M1 3FP
Flat 311, 28 Minshull Street, Manchester, M1 3EF
Flat 1106, 28 Minshull Street, Manchester, M1 3GP
Flat 1109, 28 Minshull Street, Manchester, M1 3GP
Flat 1310, 28 Minshull Street, Manchester, M1 3GP
Flat 601, 28 Minshull Street, Manchester, M1 3EF
Flat 904, 28 Minshull Street, Manchester, M1 3GP
Flat 208, 28 Minshull Street, Manchester, M1 3EF
Flat 1008, 28 Minshull Street, Manchester, M1 3GP
Flat 1403, 28 Minshull Street, Manchester, M1 3GP
Flat 710, 28 Minshull Street, Manchester, M1 3EF
Flat 204, 28 Minshull Street, Manchester, M1 3EF
Flat 309, 28 Minshull Street, Manchester, M1 3EF
Flat 401, 28 Minshull Street, Manchester, M1 3EF
Third To Seventh Floors, 4 Piccadilly Place, Manchester, M1 3BN
Crown Courts, Minshull Street, Manchester, M1 3FS
Flat 13, 12 Minshull Street, Manchester, M1 3FP
Flat 8, 12 Minshull Street, Manchester, M1 3FP
Flat 20, 12 Minshull Street, Manchester, M1 3FP
Flat 26, 12 Minshull Street, Manchester, M1 3FP
Flat 35, 12 Minshull Street, Manchester, M1 3FP
Flat 1302, 28 Minshull Street, Manchester, M1 3GP
Flat 907, 28 Minshull Street, Manchester, M1 3GP
Flat 1105, 28 Minshull Street, Manchester, M1 3GP
Flat 809, 28 Minshull Street, Manchester, M1 3GP
Flat 1007, 28 Minshull Street, Manchester, M1 3GP

Flat 405, 28 Minshull Street, Manchester, M1 3EF
Flat 1208, 28 Minshull Street, Manchester, M1 3GP
Flat 1405, 28 Minshull Street, Manchester, M1 3GP
Flat 508, 28 Minshull Street, Manchester, M1 3EF
Flat 708, 28 Minshull Street, Manchester, M1 3EF
Flat 1111, 28 Minshull Street, Manchester, M1 3GP
24B Minshull Street, Manchester, M1 3EF
Flat 1309, 28 Minshull Street, Manchester, M1 3GP
Flat 1102, 28 Minshull Street, Manchester, M1 3GP
Flat 1304, 28 Minshull Street, Manchester, M1 3GP
Flat 802, 28 Minshull Street, Manchester, M1 3GP
Flat 903, 28 Minshull Street, Manchester, M1 3GP
Flat 203, 28 Minshull Street, Manchester, M1 3EF
Flat 511, 28 Minshull Street, Manchester, M1 3EF
Flat 411, 28 Minshull Street, Manchester, M1 3EF
Flat 1311, 28 Minshull Street, Manchester, M1 3GP
Flat 206, 28 Minshull Street, Manchester, M1 3EF
Flat 12, 12 Minshull Street, Manchester, M1 3FP
Flat 29, 12 Minshull Street, Manchester, M1 3FP
Flat 22, 12 Minshull Street, Manchester, M1 3FP
Flat 28, 12 Minshull Street, Manchester, M1 3FP
Flat 32, 12 Minshull Street, Manchester, M1 3FP
Flat 408, 28 Minshull Street, Manchester, M1 3EF
Flat 808, 28 Minshull Street, Manchester, M1 3GP
Flat 1211, 28 Minshull Street, Manchester, M1 3GP
Flat 1402, 28 Minshull Street, Manchester, M1 3GP
Flat 205, 28 Minshull Street, Manchester, M1 3EF
Flat 811, 28 Minshull Street, Manchester, M1 3GP
Flat 1010, 28 Minshull Street, Manchester, M1 3GP
Flat 211, 28 Minshull Street, Manchester, M1 3EF
Flat 1004, 28 Minshull Street, Manchester, M1 3GP
Flat 1306, 28 Minshull Street, Manchester, M1 3GP
Flat 606, 28 Minshull Street, Manchester, M1 3EF
Flat 510, 28 Minshull Street, Manchester, M1 3EF
Flat 406, 28 Minshull Street, Manchester, M1 3EF
Flat 1101, 28 Minshull Street, Manchester, M1 3GP
Flat 1210, 28 Minshull Street, Manchester, M1 3GP
Flat 901, 28 Minshull Street, Manchester, M1 3GP
Flat 1206, 28 Minshull Street, Manchester, M1 3GP
Flat 404, 28 Minshull Street, Manchester, M1 3EF
Flat 706, 28 Minshull Street, Manchester, M1 3EF
4 Piccadilly Place, Manchester, M1 3BN
Holiday Inn Manchester City Centre, 25 Aytoun Street, Manchester, M1 3AE
Flat 21, 12 Minshull Street, Manchester, M1 3FP
Flat 15, 12 Minshull Street, Manchester, M1 3FP
Flat 36, 12 Minshull Street, Manchester, M1 3FP
Flat 38, 12 Minshull Street, Manchester, M1 3FP

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Area Team Boundary - Name: CENTRAL

APPENDIX

C

EMAIL EXCHANGE

Susan Jones <susan@susanjonesconsultancy.co.uk>

Wed 19 Mar,
15:56

Reply

to Maximillian

Good afternoon Mr Gibson,

Thank you for your patience awaiting a response from me to your email sent last week

I now confirm my thanks to you for drawing my attention to the inconsistencies you referred to in certain submitted documents relating to advertisement application 142082/AOH/2025, Receipt of your email prompted me to have an in-depth conversation with the Applicant concerning its current interest in the Application Site and also the form of the existing displays on the site which enjoy deemed consent.

In the light of such discussions I can now confirm that the Applicant enjoys the benefit as a tenant of displaying advertisements on the Application Site by way of a lease with ECP (the landlord). The current lease only provides the company with control over the existing backlit displays (i.e. 1 no 96 sheet and 2 no 48 sheets) and therefore it has no jurisdiction over any of the ECP signs on the site nor the way in which the existing car park is managed upon which the aforementioned existing subject advertisements are sited.

Furthermore, it has been confirmed to me that all the existing backlit advertisements are single sided and not "double sided" as originally referred to.

In the light of the above I cannot see any reason why the wording of the proposal as shown on the application form should be amended. However, if you feel that an amendment is necessary so there is absolute clarity regarding which existing advertisements are to be replaced by the proposal I can confirm that my client would be prepared to agree to the following amended wording:

1 no LED digital advertisement to replace 1 no 96 sheet and 2 no 48 sheet backlit advertisements.

Therefore, so there is absolute clarity between the Applicant and council officers, I confirm that the existing ECP signs on the Application Site do not form any part of this application and would

remain in place if express consent is approved. In connection with this it has been necessary to amend a number of the original submitted documents to accurately reflect the situation presented to you now. Attached to this email therefore are the following documents:

- Amended Planning Statement. dated March 2025,
- Drawing 3037 04 G to replace 04F
- Illustrative Images- IMG 4C to replace 4B and IMG 2D to replace 2C.

All other documents which formed part of the original submission remain unchanged.

Please note that given that the aforementioned ECP signs do not form any part of this application their presence has not been recorded on the submitted drawings. They have however been picked up on the amended illustrative images.

I hope that this email clarifies the situation fully for you; however if you have any queries please do not hesitate in contacting me.

Yours sincerely,

Susan Jones

On Wed, 12 Mar 2025 at 08:44, Maximillian Gibson <Maximillian.Gibson@manchester.gov.uk> wrote:

Hi Susan,

The application form for application reference 142082/AOH/2025, and therefore the description of development, relates to “1 no digital display to replace 3 no backlit displays”, but para. 1.1 of the Planning Statement makes it clear that you are seeking:

“a single LED digital advertisement display to replace 1 no double sided 96 sheet backlit advertisement, 2 no double sided 48 sheet backlit advertisements and 2 no car park signs”

Please could we agree an amendment of the description of development with yourself to include all of the above, to ensure that the description addresses what you are proposing to remove in order to gain the replacement.

Many thanks,

Maximillian Gibson

Planning Officer

Planning, Building Control and Licensing

Manchester City Council

0161 219 6359

Maximillian.Gibson@manchester.gov.uk

Manchester City Council, P.O.Box 532, Town Hall, Manchester, M60 2LA

APPENDIX

D

OFFICERS REPORT
106884/AOH/2014/C2

DECISION NOTICE
106884/AOH/2014/C2



Planning Division

Growth & Neighbourhoods Directorate

Officer Report for Delegated Application

Application number: 106884/AOH/2014/C2

Date of application: 23 October 2014

Proposal: Display of 1no. backlit 'Mega 96 sheet' advertising hoarding measuring 18.6m x 4.65m x 0.265m following the removal of 3no. existing advertising hoardings and 2no. car park signs together with replacement of existing boundary treatment.

Location: ECP Car Park, Aytoun Street, Manchester, M1 3DT

Ward(s): City Centre Ward

Applicant: Mr Steve Smith, City Outdoor, C/o Lancashire County Cricket Club, Talbot Road, Manchester, M18 0PX

Agent: Mrs Susan Jones, Ads-Plan Ltd Birch Bank, Waste Lane, Cuddington, CW8 2TD

Case officer: Emily Booth
Tel: 0161 234 4193
Fax:
Email: e.booth@manchester.gov.uk

Recommendation: Temporary approval

Date of recommendation: 11 December 2014

1. Application detail

Type of application: Advertisement Hoardings Consent

Development Type: Advertisements

Date of Site Visit: 11 November 2014

Standard Consultations:

Printed: 31 October 2014 Expired: 21 November 2014

Neighbour notifications:

Printed: 31 October 2014 Expired: 21 November 2014

Site Notice:

Posted: 11 November 2014 Expired: 2 December 2014

Reason(s) for notice: Affecting a Listed Building
Other Development of Public Interest

Press Advert:

Published: 11 November 2014 Expired: 2 December 2014

Reason(s) for advert: Affecting a Listed Building
Other Development of Public Interest

Departure from Development Plan: No

Environmental Impact Assessment: Not required

2. Description of site/building

Listed Building: Not applicable

Conservation Area: Not applicable

Tree Preservation Order: Not applicable

3. Description of area

This application relates to an existing surface car park bounded by Auburn Street, Aytoun Street and Minshull Street. The site isn't within a conservation area, but is adjacent to the Grade II* Listed Manchester Crown Courts.

Within the car park there are 2no. 48 sheet (6.1m (h) x 3m (w) and 1no. 96 sheet (12.3m (h) x 3.1m (w) static backlit advertising hoardings and 2no. non illuminated advertising panels with car park signage (1.2 (h) x 3.7 (w) and 2.1 (h) x 2.2 (w). There are also 3no. non illuminated advertising panels on the rear of the 3no. hoardings. The height of the advertisements including their support structures from pavement level ranges between 4.6m and 5.8m and the distance of the existing advertisements from the boundary between the car park and the pavement ranges from 0.2m to 2.8m. The applicant states that these hoardings benefit from deemed consent and has provided some information to support this statement.

The car park is also surrounded by a combination of an unsightly yellow and blue fence and a brick wall.

The site is opposite a recent modern development at 4 Piccadilly Place. This development was part of a successful redevelopment of a brownfield site, which includes offices, a hotel, restaurant, bar, landscaped public courtyard and public access via bridge link to Piccadilly Station. The paving on Aytoun Street adjacent the development was upgraded as part of this.

The surrounding uses include hotel, shop, office, education, residential, café, bar and restaurant uses.

4. Description of development

Advertisement Consent is sought for the installation of a static backlit 'Mega 96 sheet' advertising hoarding measuring 4.65m (h) x 18.6m (w) x 0.265m (d) within existing surface car park. The hoarding would be installed at an angle to the pavement and would be between 1.8m and 4.4m from the boundary between the car park and the pavement. The advertisement including support would measure 6.3 (h) x 18.6m (w) and between 0.265m and 5.5m (d).

The above described existing signs would be permanently removed from the site and the existing yellow and blue fence would be replaced with a black fence.

5. Consultations & notifications

Publicity – The application was advertised in the local press as affecting the setting of a listed building and being of public interest. A site notice was displayed on site and letters were sent to surrounding occupiers. No responses were received.

Highway Services – Advised that it is understood that the proposed sign is not digital and is also located on unadopted highway and supported by an acceptable maintenance strategy and as such highways have no objection to the proposals.

City Centre Regeneration - No comments received

Greater Manchester Police - No comments received

English Heritage (NW Region) - Advised that the application should be determined in accordance with national and local policy guidance, and on the basis of the City Council's specialist conservation advice.

6. Issues

The main issues for consideration relate to the impact of the advertisements on visual amenity, in particular the character and appearance of the listed building, residential amenity and public safety. The main policies that relate to the proposals are Sections 7 (Requiring Good Design) and 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework, policies EN1 (Design Principles and Strategic Character Areas), EN3 (Heritage), CC9 (Design and Heritage), SP1 (Spatial Principles), T1 (Sustainable Transport) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester, paragraphs 12.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies E3.3 (To Enhance the City's Environment), DC15.1 and DC15.2 (Advertisements, Hoardings and Posters) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Public Safety

The Head of Highway Services have confirmed that they are happy with the proposed maintenance strategy. There are no further issues to consider in relation to public safety.

Given the above, the retention of the advertisements is considered to be in accordance with Section 7 of the NPPF, policies T1 and DM1 of the Adopted Core Strategy for the City of Manchester, paragraph 2.20 of the Guide to Development in Manchester SPD and saved policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.

Visual Amenity

The proposals would significantly improve the appearance of the site, by removing the current advertisement clutter and replacing the existing fence with one that is a more neutral colour.

The proposed advertisement would be larger than the largest existing advertisement, but the total on site advertising would be reduced by 62.97 sq.m. and advertising would be limited to one hoarding in place of the eight existing advertisements. The hoarding would be installed in the location of the largest hoarding, but would be set further back from the site boundary to reduce the impact on pedestrians using the adjacent pavement.

The proposed hoarding would be within the setting of the Grade II* Listed Manchester Crown Court, but would be located further from the building than two of the existing double sided hoardings and the car park signage. The removal of the existing advertisements would also open up views of the listed building and remove the clutter currently affecting its setting.

However, the City Council doesn't consider this acceptable as a permanent feature given the continuing improvements and investment likely to be made in the locality and its location within views of the Grade II* Listed Manchester Crown Court, which would be improved by alternative development. Given this, we have agreed with the applicant that a temporary consent of three years would be applied to the approval, which could be renewed in the future.

The significance of the improvements is considered to justify the approval of this application on a temporary basis.

Given the above, the proposals are considered to be in accordance with Sections 7 and 12 of the National Planning Policy Framework, policies EN1, EN3, CC9, SP1, T1 and DM1 of the Adopted Core Strategy for the City of Manchester, paragraph 12.6 of the Guide to Development in Manchester SPD and saved policies E3.3, DC15.1 and DC15.2 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Residential Amenity

It is possible that the advertisement could be viewed from the nearest residential property although this would not be directly adjacent. Given this and its location close to hotel and office accommodation it is considered necessary to limit illumination to those existing.

The applicant has confirmed that the current luminance levels are a maximum of 600 cd/m and would be willing to accept a condition that limits luminance to this existing level.

Given the above, the application is considered to be in accordance policies DM1 and SP1 of the Adopted Core Strategy for the City of Manchester and saved policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.

Contribution to Regeneration

In order to continue to attract the quality of development and investment that has previously resulted in the recent high quality development completed in this area, it is extremely important that the visual amenity of this area is safeguarded. The improvements to the site would in turn improve the surrounding environment and assist the realisation of this aim.

Given the above, the application is considered to be in accordance policy SP1 of the Adopted Core Strategy for the City of Manchester as the retention of the sign would have positive implications for regeneration in Manchester.

7. Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Head of Planning has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the approval of the application is proportionate to the wider benefits of approval and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

8. Recommendation Temporary approval

Article 31 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. This has included ongoing negotiations regarding design and advice about the information required to be submitted to support the application.

Conditions to be attached to the decision

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.

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.

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.

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.

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.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

3037 01 rev A stamped as received by the City Council as local planning authority on 19th September 2014

3037 03 rev B, 04 rev B (proposed only), 05 rev B stamped as received by the City Council as local planning authority on 23rd October 2014

The letters from Ads Plan dated 16th September 2014 (the information within point 5 only) and 23rd October 2014 (points 4 and 5 only)

The email from Susan Jones dated 4th December 2014

The email from Stuart Bickley dated 9th October 2014

The email from Stephen Smith dated 11th December 2014

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Policies DM1, EN1, EN3, CC9, T1 and SP1 of the Adopted Core Strategy for the City of Manchester, paragraphs 12.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies E3.3, DC15.1 and 15.2 and DC19.1 of the Unitary Development Plan for Manchester.

3) (a) The express advertisement consent hereby granted is limited to a period of 39 months starting on 18th December 2014.

(b) On the date of the expiry of the express consent period on 19th March 2018 as specified in (a) above; the advertisement hoardings and all associated development shall be removed, any use of the land authorised by this consent shall be discontinued, and the land shall be reinstated in accordance with a scheme previously approved.

Reason - To enable the City Council to consider the acceptability of the continuance of the display of the advertisement hoardings at the site on the expiry of the period of express consent, having regard to visual amenity and changing circumstances in the locality in order to comply with policies DM1, EN1, EN3, CC9, T1 and SP1 of the Adopted Core Strategy for the City of Manchester, paragraphs 12.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies E3.3, DC15.1 and 15.2 and DC19.1 of the Unitary Development Plan for Manchester.

4) The advertisement hereby approved shall not be installed unless and until the existing advertisements as detailed within the letter from Ads Plan dated 16th September 2014 and shown on the drawing referenced 3037 04 rev B have been permanently removed from

site and the existing fence has been replaced with the proposed fence as shown on the drawing referenced 3037 04 rev B.

Reason - In the interests of visual amenity, pursuant to Policies DM1, EN1, EN3, CC9, T1 and SP1 of the Adopted Core Strategy for the City of Manchester, paragraphs 12.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies E3.3, DC15.1 and 15.2 and DC19.1 of the Unitary Development Plan for Manchester.

5) At any time when the street lighting on the section of Aytoun Street adjacent the application site is illuminated, the maximum luminance of the advertising panel shall not exceed 600cd/sq.m. The advertisement shall not be illuminated during daylight hours.

Reason - In order to protect amenity within the area, pursuant to policy DM1 of the Core Strategy and saved policies DC15.1 and 15.2 of the Unitary Development Plan.

Appendix 1 – List of consultees & neighbours notified of application

Highway Services
City Centre Renegeration
Greater Manchester Police
English Heritage (NW Region)

Crown Courts, Minshull Street, Manchester, M1 3FS
The Crown Court, Minshull Street, Manchester, M1 3FS
Flat 101, 5 Piccadilly Place, Manchester, M1 3BR
Flat 102, 5 Piccadilly Place, Manchester, M1 3BR
Flat 103, 5 Piccadilly Place, Manchester, M1 3BR
Flat 104, 5 Piccadilly Place, Manchester, M1 3BR
Flat 105, 5 Piccadilly Place, Manchester, M1 3BR
Flat 106, 5 Piccadilly Place, Manchester, M1 3BR
Flat 107, 5 Piccadilly Place, Manchester, M1 3BR
Flat 108, 5 Piccadilly Place, Manchester, M1 3BR
Flat 109, 5 Piccadilly Place, Manchester, M1 3BR
Flat 110, 5 Piccadilly Place, Manchester, M1 3BR
Flat 111, 5 Piccadilly Place, Manchester, M1 3BR
Flat 112, 5 Piccadilly Place, Manchester, M1 3BR
Flat 113, 5 Piccadilly Place, Manchester, M1 3BR
Flat 114, 5 Piccadilly Place, Manchester, M1 3BR
Flat 115, 5 Piccadilly Place, Manchester, M1 3BR
Flat 116, 5 Piccadilly Place, Manchester, M1 3BR
Flat 117, 5 Piccadilly Place, Manchester, M1 3BR
Flat 201, 5 Piccadilly Place, Manchester, M1 3BR
Flat 202, 5 Piccadilly Place, Manchester, M1 3BR
Flat 203, 5 Piccadilly Place, Manchester, M1 3BR
Flat 204, 5 Piccadilly Place, Manchester, M1 3BR
Flat 205, 5 Piccadilly Place, Manchester, M1 3BR
Flat 206, 5 Piccadilly Place, Manchester, M1 3BR
Flat 207, 5 Piccadilly Place, Manchester, M1 3BR
Flat 208, 5 Piccadilly Place, Manchester, M1 3BR
Flat 209, 5 Piccadilly Place, Manchester, M1 3BR
Flat 210, 5 Piccadilly Place, Manchester, M1 3BR
Flat 211, 5 Piccadilly Place, Manchester, M1 3BR
Flat 212, 5 Piccadilly Place, Manchester, M1 3BR
Flat 213, 5 Piccadilly Place, Manchester, M1 3BR
Flat 214, 5 Piccadilly Place, Manchester, M1 3BR
Flat 215, 5 Piccadilly Place, Manchester, M1 3BR
Flat 216, 5 Piccadilly Place, Manchester, M1 3BR
Flat 217, 5 Piccadilly Place, Manchester, M1 3BR
Flat 301, 5 Piccadilly Place, Manchester, M1 3BR
Flat 302, 5 Piccadilly Place, Manchester, M1 3BR
Flat 303, 5 Piccadilly Place, Manchester, M1 3BR
Flat 304, 5 Piccadilly Place, Manchester, M1 3BR
Flat 305, 5 Piccadilly Place, Manchester, M1 3BR
Flat 306, 5 Piccadilly Place, Manchester, M1 3BR
Flat 307, 5 Piccadilly Place, Manchester, M1 3BR
Flat 308, 5 Piccadilly Place, Manchester, M1 3BR
Flat 309, 5 Piccadilly Place, Manchester, M1 3BR
Flat 310, 5 Piccadilly Place, Manchester, M1 3BR
Flat 311, 5 Piccadilly Place, Manchester, M1 3BR

[illegible]

[illegible]

Flat 1002, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1003, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1004, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1005, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1006, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1007, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1008, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1009, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1010, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1011, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1012, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1013, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1014, 5 Piccadilly Place, Manchester, M1 3BP
Flat 1015, 5 Piccadilly Place, Manchester, M1 3BP
City Inn, 1 Piccadilly Place, Manchester, M1 3DG
2 Piccadilly Place, Manchester, M1 3BG
3 Piccadilly Place, Manchester, M1 3BN
4 Piccadilly Place, Manchester, M1 3BN
Pita Pit, 3C Piccadilly Place, Manchester, M1 3BN

Appendix 2 – Planning constraints identified

Change Of Use From Class C3 To Class C4, Removal Of PD Right
All buildings, structures, erections and works exceeding 90m
Consult National Coal Board

Appendix 3 – Monitoring information recorded

No monitoring information recorded

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

Town & Country Planning (Control of Advertisements) (England) Regulations 2007

Advertisement Consent

Applicant

Mr Steve Smith
City Outdoor
C/o Lancashire County Cricket Club
Talbot Road
Manchester
M18 0PX

Agent (if used)

Mrs Susan Jones
Ads-Plan Ltd
Birch Bank
Waste Lane
Cuddington
CW8 2TD

Part 1 – Particulars of the application/development

Proposal: Display of 1no. backlit 'Mega 96 sheet' advertising hoarding measuring 18.6m x 4.65m x 0.265m following the removal of 3no. existing advertising hoardings and 2no. car park signs together with replacement of existing boundary treatment.

Location: ECP Car Park, Aytoun Street, Manchester, M1 3DT

Date of application: 23 October 2014

Application number: 106884/AOH/2014/C2

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **granted** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 31 Declaration

In assessing the merits of an application officers will seek to work with the applicant in a positive and proactive manner to seeking solutions to problems arising in relation to dealing with the application. This has included ongoing negotiations regarding design and advice about the information required to be submitted to support the application.

Condition(s) attached to this decision

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.

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.

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.

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.

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.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

3037 01 rev A stamped as received by the City Council as local planning authority on 19th September 2014

3037 03 rev B, 04 rev B (proposed only), 05 rev B stamped as received by the City Council as local planning authority on 23rd October 2014

The letters from Ads Plan dated 16th September 2014 (the information within point 5 only) and 23rd October 2014 (points 4 and 5 only)

The email from Susan Jones dated 4th December 2014

The email from Stuart Bickley dated 9th October 2014

The email from Stephen Smith dated 11th December 2014

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to Policies DM1, EN1, EN3, CC9, T1 and SP1 of the Adopted Core Strategy for the City of Manchester, paragraphs 12.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies E3.3, DC15.1 and 15.2 and DC19.1 of the Unitary Development Plan for Manchester.

3) (a) The express advertisement consent hereby granted is limited to a period of 39 months starting on 18th December 2014.

(b) On the date of the expiry of the express consent period on 19th March 2018 as specified in (a) above; the advertisement hoardings and all associated development shall be removed, any use of the land authorised by this consent shall be discontinued, and the land shall be reinstated in accordance with a scheme previously approved.

Reason - To enable the City Council to consider the acceptability of the continuance of the display of the advertisement hoardings at the site on the expiry of the period of express consent, having regard to visual amenity and changing circumstances in the locality in order to comply with policies Policies DM1, EN1, EN3, CC9, T1 and SP1 of the Adopted Core Strategy for the City of Manchester and saved policies E3.3, DC15.1 and 15.2 and DC19.1 of the Unitary Development Plan for Manchester.

4) The advertisement hereby approved shall not be installed unless and until the existing advertisements as detailed within the letter from Ads Plan dated 16th September 2014 and shown on the drawing referenced 3037 04 rev B have been

permanently removed from site and the existing fence has been replaced with the proposed fence as shown on the drawing referenced 3037 04 rev B.

Reason - In the interests of visual amenity, pursuant to Policies DM1, EN1, EN3, CC9, T1 and SP1 of the Adopted Core Strategy for the City of Manchester and saved policies E3.3, DC15.1 and 15.2 and DC19.1 of the Unitary Development Plan for Manchester.

5) At any time when the street lighting on the section of Aytoun Street adjacent the application site is illuminated, the maximum luminance of the advertising panel shall not exceed 600cd/sq.m. The advertisement shall not be illuminated during daylight hours.

Reason - In order to protect amenity within the area, pursuant to policy DM1 of the Core Strategy and saved policies DC15.1 and 15.2 of the Unitary Development Plan.

Informatives

There are no informatives attached to this decision.

Date: 15 December 2014

Signed: 

Julie Roscoe
Head of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This consent refers only to that required under the Town and Country (Control of Advertisements) (England) Regulations 2007 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse consent or approval for the proposed development, or to grant consent or approval subject to conditions, he may appeal to the First Secretary of State in accordance with section 78 of the Act as amended by the Regulations within eight weeks of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the Appeals area of the Planning Portal – www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal).

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

APPENDIX E

**APPEAL DECISION NOTICE
APP/B4215/Z/22/3294291**



Appeal Decision

Site visit made on 7 October 2022

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 November 2022

Appeal Ref: APP/B4215/Z/22/3294291

ECP Car Park, Aytoun Street, Manchester

- 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 Stephen Smith of City Outdoor Media Ltd against the decision of Manchester City Council.
 - The application Ref 132240/AOH/2021, dated 16 November 2021, was refused by notice dated 14 January 2022.
 - The advertisement proposed is 1 no. digital display.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal varies throughout the appeal documentation. Therefore, the description of the proposed advertisement set out in the heading above is taken from the original application form. The appellant's submission suggests that the proposal includes alterations to the existing boundary fencing and opportunities for feature paving/public artwork. However, as these works could involve independent acts of development, these elements are beyond the scope of the advertisement consent regime.
3. The Local Planning Authority (LPA) has drawn my attention to the development plan policies it considers to be relevant to this appeal, and I have taken them into account as a material consideration. Nevertheless, powers under the Regulations¹ 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 LPA's policies have not therefore, by themselves, been decisive.
4. The LPA's reason for refusal includes reference to the heritage chapter of the National Planning Policy Framework (the Framework). However, the policies in that chapter apply only to the heritage related consent regimes as set out by the Planning (Listed Buildings and Conservation Areas) Act 1990, and therefore are of no relevance to the appeal proposal.

Main Issue

5. The main issue is the effect of the proposed digital advertisement on the visual amenity of the surrounding area, with particular regard to the setting of the City Police Courts, a Grade II* listed building.

Reasons

6. The appeal site is essentially a narrow strip of land along the eastern boundary of a private car park on Aytoun Street, a busy road that forms a main route through

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Manchester City centre. The surrounding area is characterised by a mix of modern contemporary high-rise buildings, reflecting recent efforts to regenerate this part of the city, interspersed by a variety of historic buildings.

7. The site's immediate context is dominated by the Grade II* listed City Police Courts, which sits to the northwest of the appeal site. Dating from circa 1868, the building is formed of several tall gables, a Gothic tower and a tall ornate chimney stack. Its exceptional design quality and architectural significance is evident in its highly decorative elevations which utilise redbrick and sandstone dressings executed in an Italian Gothic style. Its historic and architectural significance can be appreciated in public views from the surrounding streets, including in views from Aytoun Street over the appeal site. Therefore, owing to its proximity and positioning in relation to the listed building, the appeal site forms an integral part of the setting of the listed building.
8. The proposal seeks advertisement consent for a digital display measuring 18.6 metres by 4.65 metres by 0.265 metres, facing east over Aytoun Street. The proposed digital display would be internally illuminated with a maximum illumination level of 600cd/m², and would sit 1.3 metres from ground level to the base of the advertisement. It would display static digital images on a 10 second sequential rotation. The display would be set back from the pavement and replace one 96 sheet and two 48 sheet backlit advertisement hoardings along with two car park signs which are currently positioned along the eastern boundary of the car park.
9. Travelling north along Aytoun Street, there are good views of the side elevation of the City Police Courts and its distinctive architectural composition. However, owing to their size and positioning, the existing advertisements within the appeal site already dominate the foreground, harmfully interrupting public views of the listed building. Therefore, I consider that the scale and positioning of the existing advertisements have a detrimental effect on the visual amenity of the area, particularly in relation to the setting of the Grade II* listed City Police Courts. Far from setting a desirable precedent for the appeal proposal, these pre-existing advertisements carry very limited weight in support of the appeal.
10. The removal of the existing advertisements would improve views of the listed building, thereby enabling a greater appreciation of the designated heritage asset. The proposal would also result in a net reduction in the total area of advertising on display at the site. Furthermore, open views of the listed building would remain possible from within the car park. Nevertheless, as a result of its size, positioning and method of illumination, and in the absence of other digital advertisement units of similar scale or appearance, the proposed digital display would result in a highly prominent and visually obtrusive feature.
11. Its digital LED method of illumination, while below recommended standards for brightness and not comprising moving or flashing images, would provide much clearer and vivid visuals compared to the existing static displays. These factors would cause the proposed advertisement to be much more apparent and dominant in the street scene. This impact would be compounded by the intermittent changing of the illuminated display that would significantly draw the eye, further accentuating its visual presence and harmful effect on the amenity of the area. Accordingly, the proposed digital display would appear overly prominent and visually obtrusive in public views of the listed building on the approach along Aytoun Street. This would have a significant adverse visual effect on the setting of the listed building.

12. The appellant is of the view that the setting of the listed building is already compromised to a degree by the introduction of high-rise modern development and the loss of other historic buildings. However, this does not justify further harm to the setting of the listed building.
13. The appellant has indicated that they would accept a condition to provide a hard landscaping scheme to improve the area around the proposed advertisement, including a public art installation. Nevertheless, as referred to in my preliminary matters, these works could amount to development and therefore would go beyond the act of simply displaying an advertisement or facilitating the display of an advertisement. In any case, I am not convinced that such improvements would outweigh the harm I have identified.
14. I acknowledge that the LPA has raised no issues in relation to public safety. Whilst I have no reason to depart from this view, this is a neutral consideration that does not add weight in favour of the appeal. Advertisement consent was granted in 2014² for a similar advertisement, but I understand that this was never implemented, and I do not have the full details of that scheme before me. I am also referred to the approval of a LED digital display at Rochdale Road³ and an appeal decision for a LED display at Corporation Street⁴. However, these cases are of some age and the spatial context in those cases differs considerably from the case before me. Therefore, I have reached my own conclusion on the appeal proposal on the basis of the evidence before me.
15. The appellant relies heavily on extracts from a heritage statement⁵ prepared in 2016 and submitted as part of a planning application⁶ to support the development of a neighbouring site. However, that assessment was made to support a proposal for 478 residential units and commercial space. Therefore, given its age and purpose, it is of little relevance to the appeal before me.
16. Bringing all of these points together, due to its size, positioning and method of illumination, I conclude that the proposed digital advertisement would result in significant harm to the visual amenity of the surrounding area, with particular regard to the setting of the City Police Courts, a Grade II* listed building.
17. Whilst not decisive, the proposal would also be contrary to policies EN1, CC9, EN3, DM1 and SP1 of Manchester's local Development Framework Core Strategy Development Plan Document (2012) and saved policies DC15.1, DC15.2 and DC19.1 of the Unitary Development Plan for the City of Manchester (1995), in so far as these policies collectively seek to protect the amenity of the surrounding area, including the historic environment.

Conclusion

18. I have found the proposal to be harmful to the visual amenity of the surrounding area. For this reason, and having regard to all other matters raised, the appeal is dismissed.

J M Tweddle

INSPECTOR

² LPA Ref. 106884/AOH/2014/C2

³ LPA Ref. 112693/AOH/201/N1

⁴ Appeal Ref. APP/B4215/H/13/2201015

⁵ Heritage Statement: Significance and Impact by Stephen Levrant Heritage Architecture Ltd, dated 28 April 2016

⁶ LPA Ref. 112034/FO/2016/C

APPENDIX

F

**DECISION LETTER
140398/AOH/2024**

**JUDICIAL REVIEW PRE-ACTION
PROTOCOL LETTER**

**RESPONSE TO JUDICIAL
REVIEW PRE-ACTION
PROTOCOL LETTER**



Planning

Max Gibson
Telephone: 0161 219 6359
maximillian.gibson@manchester.
gov.uk

P O Box 532 Town Hall
Manchester M60 2LA

Mrs Susan Jones
Susan Jones Consultancy
Arbourfield
West View Road
Norley
WA6 8NR

Date: 23 August 2024

Dear Sir/Madam,

Decline to Determine Application

Application No: 140398/AOH/2024

Proposal: Display of 1 no. LED digital advertisement display, approximately 12.3m x 3.1m x 0.25m

Address: ECP Car Park , Aytoun Street, Manchester,

I refer to the above planning application, which was registered valid on 28 June 2024.

Under Section 70A of the Town and Country Planning Act 1990 (as amended), as modified in Part 2 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), a local planning authority may decline to determine an application for express consent, if the Secretary of State has dismissed an appeal against the refusal of a similar application in the two years prior to the submission of that application.

In the opinion of the local planning authority, the proposal of this application as set out in the documents and associated plans, is similar to the previous application for express consent considered under reference: 132240/AOH/2021, that the local planning authority refused by notice on 14 January 2022, and the Secretary of State subsequently dismissed at appeal under reference: APP/B4215/Z/22/3294291 on 29 November 2022.

There has been no significant change in the relevant considerations since the dismissal of the appeal and the Council remain of the view that the proposal fails to comply with local and national policy, in so far as they are material to the application; and the factors relevant to amenity and public safety that the local planning authority are required to take into account when exercising their powers under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Therefore, pursuant to Section 70A of the Town and Country Planning Act 1990 (as amended), as modified in Part 2 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), the Council as local planning authority, hereby declines to determine the application.

As the decision to decline to determine the application has been made within the statutory 8-week period, there is no right of appeal to the Secretary of State against non-

determination under Section 78 as that right is lost under the provision of Section 78(2), as modified in Part 3 of Schedule 4 to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Julie Roscoe', written in a cursive style.

Julie Roscoe
Director of Planning, Building Control & Licensing

Our reference WILLEB

11 September 2024

BY SPECIAL DELIVERY AND EMAIL

Head of Legal Services
Manchester City Council
Town Hall
Albert Square
Manchester
M60 2LA

Dear Sirs

Judicial review pre-action protocol letter

Our client: City Outdoor Media Ltd

Site address: ECP Car Park Aytoun Street Manchester ("Site")

This letter should be treated as a letter before claim written under the Judicial Review Pre-action Protocol.

1 Proposed claim for judicial review

To: Manchester City Council in its capacity as Local Planning Authority (**City Council**)

2 The Claimant

City Outdoor Media Limited c/o Williamson Croft (Liverpool) Limited, 1 Old Hall Street, First Floor, Liverpool, L3 9HF (the proposed **Claimant**)

3 The details of any Interested Parties

The proposed Claimant is not aware of any interested parties.

4 Details of proposed Claimant's legal advisers

Addleshaw Goddard LLP
One St Peter's Square
Manchester
M2 3DE

Counsel

David Manley KC
Kings Chambers
36 Young Street
Manchester
M3 3FT

10-86549418-2

Addleshaw Goddard LLP, One St Peter's Square, Manchester M2 3DE
Tel +44 (0)161 934 6000 Fax +44 (0)161 934 6060 DX 14301 Manchester
www.addleshawgoddard.com

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5 The details of the matter being challenged

The decision of the City Council on 23 August 2024 to decline to determine the proposed Claimant's application (ref: 140398/AOH/2024) for display of 1 no. LED digital advertisement display, approximately 12.3m x 3.1m x 0.25m.

6 The Background & Facts

6.1 The Council is familiar with the Site and its recent planning history. In brief, and in so far as relevant to the decision sought to be challenged, the background is as follows.

6.2 The Site is currently occupied by 1 no. double-sided 96 sheet backlit advertisement, 2 no. double-sided 48 sheet backlit advertisements and 2 no. car park signs.

6.3 On 29 November 2022 Inspector Tweddle dismissed an appeal seeking to replace the existing three advertising installations with one digital display measuring 18.6 m x 4.65 m x 0.265 m. The appeal was dismissed on the basis that the proposal would *"result in significant harm to the visual amenity of the surrounding area with particular regard to the setting of the City Police Courts, a Grade II* Listed Building."* The evidence presented by both the Appellant and the City Council was notable by the absence of any input at all from any person with heritage expertise. Inspector Tweddle did not claim any heritage qualifications or any particular expertise in heritage matters.

6.4 The existing advertisements on the site benefit from deemed consent by reason of Class 13 of Sch.3, Pt 2 of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007. No discontinuance action has ever been taken by the City Council in respect of the advertising that is currently on the site even following the aforesaid appeal decision.

6.5 On 28 June 2024 the City Council validated an application for the display of 1 no. LED digital advertising display (12.3 m x 3.1 m x 0.25 m) on the site. While occupying the same location as the display proposed in the dismissed appeal, the proposed display was significantly smaller. The application was accompanied by a report prepared by Border Archaeology. Its author was Stephen Priestley, MA, MCIFA who has extensive experience as a heritage expert and who has formerly been employed as a researcher by English Heritage and a research consultant for Cadw and British Waterways. His report concluded the following impacts on the relevant heritage assets:

- Manchester Crown Court - Grade II*: Negligible/minimal
- Rochdale Boundary Wall to Council - Grade II: Neutral
- Setting of Whitworth CA: Slight/neutral

6.6 Following validation of the application Mrs Susan Jones, acting on behalf of the Applicant, received an email on 16 August 2024 from Mr Gibson, the Case Officer, in the following terms:

"Officers have assessed application 140398/AOH/2024 and the proposed new digital billboard would not be supported on amenity grounds."

The City Council has a clear and consistent position that new digital billboards will be resisted in the City Centre."

Therefore, we are informing you of our intention to refuse the application in the coming days."

Many thanks."

The email's startling admission that it *"has a clear and consistent position that new digital billboards will be resisted in the City Centre"* has no Development Plan policy basis whatsoever. It identifies an approach to the determination of applications that is in breach of a fundamental and well-established principle of law, namely that all applications should be determined on their

merits and it discloses bias and predetermination. Such an admission cannot be reconciled with the need to approach all planning applications with an open mind.

- 6.7 A delegated Officer's Report on the application was duly produced which concluded that the City Council declined to determine the application pursuant to the exercise of powers conferred by Section 70A of the Town and Country Planning Act 1990. The Report is notable for:
- (a) Failing to acknowledge at all the existence of the Border Archaeology report while at the same time making extensive references back to the conclusions of Inspector Tweddle in respect of heritage issues. There is no objection from the City's Conservation/Heritage Officer recorded in the Report; and
 - (b) Failing to refer to, or even by implication engage with, relevant PPG advice (see below).
- 6.8 The decision to refuse to determine was formally notified by way of a letter from the City Council dated 23 August 2024.
- 6.9 On 9 September 2024, the City Council issued a requisition for information to the Claimant pursuant to s16 of the Local Government (Miscellaneous Provisions) Act 1976.

7 The Law

- 7.1 A Local Planning Authority can decline to determine an application in a case where the Secretary of State has dismissed an appeal against a "*similar application*" and "*there has been no significant change in the relevant considerations since the relevant event.*" The power to refuse to determine should, however, only be used where an applicant is misusing the right to apply for planning permission by attempting to exert pressure on the LPA (see *R (on the application of Jeeves and Baker) v. Gravesham Borough Council* [2006] EWHC 1249). At Paragraph 35 Collins J observed:

"35. *What then is the effect of that? The guidance, of course, does not and cannot override the terms of the statute. On the other hand, the purpose behind the guidance is to indicate to local planning authorities how they should exercise the discretion that they have with a view to ensuring that there is a consistent approach countrywide to applications for permission. It is clear that in reaching a decision under section 70A the existence of and the terms of the guidance are a material consideration which the relevant authority should take into account. Here, as it seems to me, Mr Gilbert purported, according to his statement, to take it into account but was wrong in his approach. He misconstrued the guidance and what he did was not in accordance with that guidance. The claimant was entitled to expect that there would be compliance with the guidance. To put it in terms which are familiar to judicial review cases, he had a legitimate expectation that that guidance would be applied. Of course, if a particular authority takes the view that it wishes to modify its approach, it may be that it would be entitled to do so, but only if it made it clear in advance that that is what it was going to do. I doubt, in fact, if any authority would be bold enough to do that because it would know that in any appeal to the Secretary of State, the Secretary of State would apply his own guidance, and the whole purpose behind the guidance is to achieve consistency. So it is unrealistic to believe that any planning authority would not follow the guidance that the Secretary of State promulgated.*"

The guidance referred to was Circular 14/91 which has since been revoked albeit replaced currently by PPG guidance which is similar (see below). There is therefore a legitimate expectation that relevant guidance will be applied.

8 Policy

- 8.1 PPG advice is as follows:

"In deciding to determine an application, a local planning authority must be of the view that there has been no significant change in the development plan (so far as relevant

to the application) and any other material considerations since the similar application was refused, or dismissed on appeal."

Further:

"Where an authority considers that an application is similar, it is not automatically obliged to decline to determine the application. The purpose of these powers is to inhibit the use of 'repeat' applications that the local planning authority believes are submitted with the intention of, over time, wearing down opposition to proposed developments. They are, however, designed to be flexible and to give local planning authorities the discretion to entertain 'repeat' planning applications where they are satisfied that a genuine attempt has been made to overcome the planning objections which led to rejection of the previous proposal or there has been a material change in circumstances."

In the present case the PPG advice was not only not referenced but the delegated Report conspicuously failed to:

- (a) Ask if there had been a change in "any" other material consideration. In this case, not only was the proposed installation significantly smaller than the one considered at appeal, but also the LPA had been provided with expert heritage advice from a respected expert on heritage issues. That on any view was a material matter. There had been no previous input from anyone with heritage expertise; and
- (b) Ask itself whether the application was a genuine attempt to address planning concerns or simply an attempt to abuse the planning system by wearing the City Council down.

8.2 In the event that the City Council fails to confirm that it will withdraw the refusal to determine and re-determine on the merits or otherwise confirms that it will determine a re-submitted application (in identical terms) on its merits, the Claimant will seek a Judicial Review of the Council's decision as expressed in its letter of 23 August 2024. The Grounds of Challenge will be:

Ground 1:

- That the City Council predetermined the application and was biased against the proposal from the outset.

Particulars:

- The Claimant will rely upon:
 - The email of 16 August 2024 which evidenced an intention to resist digital billboards in the City Centre as a matter of general principle. It has no basis in the Development Plan which is the starting point for determination. Such a declaration cannot be reconciled with a duty to determine applications fairly and with an open mind by reference to the Development Plan and all other material considerations;
 - The delegated Report which:
 - (A) Failed to even acknowledge the existence of the Border Archaeology report while at the same time making extensive reference to the more negative conclusions of Inspector Twedde; and
 - (B) Failed to engage with the issues raised by the PPG advice noted above. Assuming that the author of the delegated Report was familiar with long-established and well-recognised policy advice, the omission can only be understood as a reluctance to engage with an issue that could only be read as requiring a determination given that the reduction in size of the proposal and the provision of expert heritage input plainly evidenced a genuine attempt to address planning concerns.

Ground 2:

- Failed to take into account relevant PPG advice and therefore failed to take into account a material consideration or otherwise satisfy a legitimate expectation that such advice would be applied. It is clear that if such advice had been taken into account that the City Council could not have refused to validate the application.

Ground 3:

- Failed to take into account relevant material considerations, namely:
 - (i) The significant reduction in size of the proposed installation compared to the proposal dismissed on appeal; and
 - (ii) The Border Archaeology report which was not even referenced.

Ground 4:

- Behaved irrationally in declining to determine the application.

Particulars:

The combined effect of the reduction in size of the proposal, the provision of heritage information and the fact of the PPG advice meant that any reasonable decision-maker would have concluded that the proposal was a genuine attempt to address planning concerns which, on the basis of policy advice, should be fairly determined on its merits. No decision-maker properly directing itself on all of the issues could have declined to determine the application.

9 The details of the action that the Council is expected to take

- 9.1 The Council is requested to confirm that in light of the above it will take the necessary steps to withdraw the refusal to determine and re-determine on the merits or otherwise confirms that it will determine a re-submitted application (in identical terms) on its merits. in accordance with its obligations under s70 of the Town and Country Planning Act 1990 Act at the first reasonably available opportunity; and
- 9.2 It will not defend an application to quash the decision of 23 August 2024 to decline to determine the above application.

10 The details of any information sought / documents considered relevant

- 10.1 Any advices or memos passing between officers which informed the decision to decline to determine dated 23 August 2024.
- 10.2 In the event that the proposed Claimant issues proceedings, the Council is invited to comply with its duty of candour and disclose all reports, emails, internal and external memoranda pertaining to the Site and the decision of the Council to decline to determine the planning application.
- 10.3 The Council is asked in its response to confirm whether or not it is content to accept service of any proceedings that may be issued by electronic means.

11 The address for reply and service of court documents

FAO Emily Williams
Partner
Addleshaw Goddard LLP
One St Peter's Square
Manchester
M2 3DE

Preferably by email in the first instance to emily.williams@addleshawgoddard.com

12 Proposed reply date

The Council is asked to respond as soon as possible and in any event by 4pm on 25 September 2024.

We look forward to receiving your reply.

Yours faithfully

Addleshaw Goddard

Addleshaw Goddard LLP

Direct line +44 161 934 6555
Email emily.williams@addleshawgoddard.com

Fiona Ledden
City Solicitor
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M60 2LA

BY HAND AND EMAIL

FAO Emily Williams
Partner
Addleshaw Goddard LLP
One St Peter's Square
Manchester
M2 3DE

Please ask for: Justin Hobson

Tel: 0161 234 4097
Your ref: WILLEB
Our ref: L/JGH/PLA001/84103
Date: 25 September 2024
Email:
justin.hobson@manchester.gov.uk

Dear Sir

Response to judicial review pre-action protocol letter
Your client: City Outdoor Media Ltd
Site address: ECP Car Park, Aytoun Street, Manchester

1. The Claimant

1.1 City Outdoor Media Limited

2. From

2.1 Manchester City Council

3. Reference Details

3.1 Our reference: L/JGH/PLA001/84103

3.2 Counsel: Killian Garvey, Kings Chambers

4. The details of the matter being challenged

- 4.1 The decisions of the City Council on 23 August 2024 to decline to determine the proposed Claimant's application (ref: 140398/AOH/2024) for display of 1 no. LED digital advertisement display, approximately 12.3m x 3.1m x 0.25m.

5. Response to the proposed claim

- 5.1 For the reasons below, if the Claimant were to bring the claim, the Defendant would invite the Court to dismiss the claim as being unarguable.

5.2 Ground 1: The City Council predetermined the application and was biased against the proposal from the outset

- 5.2.1 The Claimant pursues an unusual argument that there was a predetermination. However, the use of the power within s.70A of the Town and Country Planning Act 1990 is the power to decline to determine a subsequent application. Thus, it is curious to suggest that there has both been a predetermination and no determination of the application.

- 5.2.2 The Claimant's real point is that they received an email on 16th August 2024 from Max Gibson, which said:

Hi Susan,

Officers have assessed application 140398/AOH/2024 and the proposed new digital billboard would not be supported on amenity grounds.

The City Council has a clear and consistent position that new digital billboards will be resisted in the City Centre.

Therefore, we are informing you of our intention to refuse the application in the coming days.

Many thanks,

5.2.3 The Claimant's attempts to elevate this email into some form of statement of policy within the development plan wholly mischaracterizes the contents of that email, which do not hint at there being any such development plan policy.

5.2.4 Furthermore, it is unarguable to suggest that this amounted to bias for the following reasons.

- i. This email was sent by Max Gibson (the case officer), but the decision to exercise the s.70A power was taken by Ms Julie Roscoe (as seen from the letter dated 23 August 2024). Thus, even if Mr Gibson was biased (which is denied), he was not the decision maker, so any informal view he expressed was not the view of the decision maker.
- ii. Mr Gibson's email said that there was an intention to refuse the application, but this did not occur. Instead, the s.70A power was exercised. Thus, any suggestion of a predetermination is flawed when the 'predetermined view' of refusing is not the outcome that manifested.
- iii. The application was validated on 28 June 2024. It is wholly unrealistic to suggest that by 16 August 2024 officers would not have formed any views about the application, which they were unable to express informally. Indeed, such an approach would only encourage a complete lack of engagement or co-operation if any view expressed by an officer during the lifetime of an application amounts to predetermination. There is no precedent for such a view.
- iv. The use of s.70A can be used where this relates to a repeat application. Thus, it is hardly surprising that officers would have a view on the

application, given that this was substantially similar to a previous refusal on appeal. Again, it suggests a complete lack of reality on behalf of the Claimant that they criticise officers, who were not the decision maker of the impugned decision, for having a view on an application that was substantially similar to a previous application.

5.2.5 Accordingly, this is an unarguable ground of challenge.

5.3 Ground 2: Failure to take into account relevant PPG advice and breach of legitimate expectation

5.3.1 The Claimant suggests that the Council failed to take into account relevant parts of the PPG. It remains opaque what the evidence for this is proposition is. If it is simply suggested that the PPG was not explicitly mentioned in the officer report and therefore it can be assumed that it was not adhered to/applied, this is a thoroughly bad point.

5.3.2 There is no requirement in law to quote from or refer to the PPG. The assumption in law is that the Council will be familiar with national policy, including the PPG, unless there are positive contra-indications demonstrating that officers did not have this policy in mind. There is no such evidence here.

5.3.3 Further, there is no evidence that the PPG was not followed. The relevant section of the PPG does not mandate the exercise of the Council's discretion. Rather, it requires the Council to consider whether there has been a genuine attempt to overcome objections. In the planning judgment of officers, this was not the case, as made clear from the officer report, which said:

Whilst the proposed display is smaller than that refused under application reference 132240/AOH/2021, the City Council considers that the proposed digital display would still have a significant adverse impact on visual amenity and are of the opinion that this is sufficiently similar, in terms of the subject of the application and the land to which the applications relate, to be considered as the same or substantially the same.

5.3.4 Thus, the view that this was the same or substantially the same demonstrates that the view of officers was that there was not a genuine attempt to overcome objections. Notes that the power in s.70A(1)(b) is where the Council think there has been no significant change, meaning a change in the application does not automatically amount to a genuine attempt to overcome the objection.

5.4 Ground 3: Failed to take into account relevant material considerations

5.4.1 The Claimant suggests that the Council failed to take into account the reduction in size of the proposed installation and the Border Archaeology report.

5.4.2 As regards the reduction in size, as quoted above, the officer report explicitly noted this in the report, but found that it did not make a difference. Thus, this point is factually inaccurate.

5.4.3 As regards the Border Archaeology report, there is no evidence to support this proposition. The absence of an explicit reference to an application document is not evidence that the document was ignored. The officer report noted as follows within the description of proposal section:

Documents submitted by the applicant in support of this application show the removal of 1 no. 96 sheet, 2 no. 48 sheet advertisement hoardings; the proposed replacement of 1no. digital display, would be installed in the same location as the existing 96 sheet display and would be of the same overall proportions (approximately 12.3m x 3.1m x 0.25m), albeit with a slightly smaller display by virtue of the digital screen's border. The display would be illuminated to 300cd/m² and there is a proposal to include some associated boundary treatment.

5.4.4 Thus, the documents that were submitted were considered. There is nothing in the report or otherwise which supports the point that the report was ignored.

5.5 Ground 4: Irrationality

5.5.1 The Claimant simply disagrees with the Council's exercise of its judgment. There is nothing in this makeweight ground.

5.6 Academic

5.6.1 The Council also invite the Claimant to seriously reflect on whether their claim would be largely academic. The s.70A power can only be used where the Secretary of State has dismissed an appeal against a similar application during the preceding two years.

5.6.2 The Claimant's appeal against the Council's refusal of application 132240/AOH/2021 was dismissed by the Secretary of State on 29 November 2022. Thus, in short order, the Claimant will be in a position to submit a fresh application and the power will not be available. Thus, it would be a significant waste of resources for the Claimant to seek to incur the costs in pursuing what is an unarguable claim for judicial review, rather than simply wait until they are in a position to submit an application outside of the window provided for by s.70A. Such an action would be both more cost effective and presumably quicker for the Claimant.

6. **Details of any other Interested Parties**

6.1 None have been identified.

7. **ADR Proposals**

7.1 None are relevant.

8. **Response to requests for further information and documents**

8.1 The Claimant seeks pre-action disclosure. It is highly unusual for such an application for disclosure to be granted prior to permission being granted. If permission is granted, the Defendant must file relevant evidence in accordance with the duty of candour. An order for disclosure is not a standard order in judicial review and normally would not be considered until after the permission

stage is completed. The Claimant does not provide any explanation as to why disclosure is justified here.

9. Address for further correspondence and service of court documents

9.1 Please provide any documents to:

FAO Justin Hobson
Principal Lawyer
Legal & Democratic Services
Manchester City Council
PO Box 532
Town Hall
Manchester
M60 2LA

Preferably by email in the first instance to justin.hobson@manchester.gov.uk

Yours sincerely

A handwritten signature in black ink, appearing to be 'JH' or similar, written in a cursive style.

Justin Hobson
Principal Lawyer
For The City Solicitor

APPENDIX

G

AYTOUN STREET SRF

AYTOUN STREET CAMPUS

A MANCUNIAN DISTRICT LIKE NO OTHER

**STRATEGIC
REGENERATION
FRAMEWORK**

A MANC
DISTRICT
NO OTH

UNIAN

LIKE

ER.

A proverbial melting pot...

Some red brick mills from the 1800s, a couple of semi brutalist 1960s offices, some buildings from the 80s with later additions from the 90s and 2000s chunked in for good measure.

Introduction

1.1 This Strategic Regeneration Framework ("SRF") has been prepared to guide the future redevelopment of the Manchester Metropolitan University ("MMU") Aytoun Street Campus in Manchester city centre ("the Site") – a site whose potential in terms of creating a new residential led neighbourhood as a key location at Piccadilly Gateway and the focus of future major regeneration renewal through the delivery of HS2 renders it a strategic regeneration priority in the context of the economic growth objectives of the Manchester City Region.

1.2 The site is located within the Piccadilly area of Manchester city centre and covers an area of 2.09ha. It currently comprises the former buildings of the MMU Aytoun Street Campus and the Euro Car Park surface car park, bounded by Auburn Street, Aytoun Street, Whitworth Street, Chorlton Street, and the Rochdale Canal.

1.3 The Aytoun Street Campus was once the site of the College of Commerce which became part of Manchester Polytechnic in 1970 and MMU in 1990. As part of the delivery of MMU's 2020 Vision, which seeks to redevelop and consolidate the University into two new learning districts, the Aytoun Street Campus is now completely vacant.

1.4 The purpose of the SRF is to demonstrate how the Site will be comprehensively regenerated within the context of surrounding proposals and priorities and explain how the proposals will respond to and successfully integrate with Manchester City Council's strategic economic and regeneration objectives.

1.5 At the heart of the strategy is the delivery of a mix of uses focused on residential and leisure (including hotel and apart hotel uses) together with complementary ground floor retail activity which will provide amenities for visitors to, and occupiers of this Site.

1.6 Redevelopment of the Site provides a unique opportunity to secure the next phase of this area's transformation, building upon initiatives which have already secured improvements to Piccadilly Gardens and Piccadilly Station and the surrounding environs but which have yet to deliver the full potential of the area, particularly as new opportunities emerge from the plans to deliver HS2 to Manchester and as part of the University of Manchester's plans to vacate their North Campus.

The Opportunity

1.7 The SRF proposals will create a new hip, vibrant and creative mixed use residential led neighbourhood, richly enhancing the townscape and integrating the Site with the surrounding area, transforming the environment and appearance of this important gateway with buildings of distinct architectural quality, as well as through provision of new public streets, squares and active commercial and leisure uses at ground floor level.

1.8 The proposals will add to the life, vitality and 24/7 use of the area which are integral to the delivery of a new sustainable city centre neighbourhood district.

1.9 The redevelopment of the Aytoun Street Campus will make a substantial contribution to the local economy

1.10 New housing will help to meet needs of those looking for homes in close proximity to Manchester city centre. This will assist in building a strong economy on several levels through the creation of employment during construction along with permanent employment from the proposed uses and delivering a new city centre neighbourhood to live in that will help support the creation and retention of talent to the city, particularly the graduate market.

1.11 The existing MMU campus has been used by a single occupier since the redevelopment of the site in the 1960's. This has created a solid mass of buildings with very little pedestrian permeability for both staff/students of the campus and the general public. A key objective for the redevelopment is to create greater accessibility with the creation of several new routes and spaces. Redevelopment of the site will open it up for the first time in 50 years, reconnecting it with the surrounding streetscape. There are clear opportunities to harness the huge footfall generated by the proximity to Piccadilly Station and the existing leisure uses along Canal Street by improving permeability and accessibility between the Site and the wider area.

1.12 The Site has the potential to support a variety of complementary leisure uses which would provide a means of extending dwell time and generating footfall and activity into and around the Site.

1.13 Ground floor cafes, restaurants, bars, and small retail uses are envisaged. There is an opportunity to incorporate weekend markets into the public realm. The retail offer will be targeted towards creating a sense of place and a distinctive offer.

1.14 The exclusive nature of the constituent parts making up the Site particularly the stretch of Canal frontage and the Listed Buildings make this site very distinct. The Minto & Turner building and Minshull House are the perfect setting for sensitive conversion to vibrant bars and restaurants, trading from 19th century listed warehouses, spilling out onto Little David Street. When combined with new architecture, the Listed Buildings have the potential to add a layer of complexity to the Site that will enable the SRF proposals to add to the rich grain of this part of the city centre.

1.15 The redevelopment will target independent, quirky operators. The hotels

facilities (bars/restaurants) will be available for public and local residents to use. Importantly these uses will provide animation and amenities for visitors to, and occupiers of the Site as well as to local residents and other city centre users in adjoining districts.

1.16 The uses proposed for the Aytoun Street Site would complement and revitalise the leisure uses along Canal Street. It is clear that trading conditions along Canal Street have been difficult. The Street was once famed for its high quality restaurant offer and independent bar scene but this has been in decline for the past few years with chain bar operators taking over more and more space squeezing out smaller occupiers. Investment in more successful bars has tended to gravitate towards other parts of the City Centre such as the Northern Quarter.

1.17 A quarter of businesses in the Village are within the hotel and restaurant sector, representing an opportunity to benefit from increased footfall and new spending visitors. The proposed mix of uses at Aytoun Street, will help revitalise Canal Street, attracting people back to the area and raising perceptions.

1.18 Alongside the resurrection of the Origin site to at the southern end of Canal Street and the redevelopment of the London Road Fire Station, the regeneration of the Aytoun Street Campus at the northern end of Canal Street, will help the Village enhance its appeal to its existing customer base and a wider market. Moreover it will deliver a new forward looking vibrant neighbourhood close to the heart of the city centre.

Background

1.19 MMU has implemented proposals for the consolidation of its estate. The opportunity for the University to withdraw from a number of sites in Manchester is a result of the successful delivery of their 2020 Vision has seen the University consolidate into two new learning

districts, broadly based around the existing academic centres at All Saints in Manchester and at Crewe. The University's commitment to rationalise its estate into two versatile and sustainable campuses is part of a plan to improve efficiency and raise standards.

1.20 Within Manchester the intention has been to unify MMU into one central campus, to bring the Didsbury, Hollings, Aytoun and Elizabeth Gaskell campuses together with the existing All Saints campus to create one sustainable, central learning environment. MMU has been working with Manchester City Council over the last 24 months to review the implications for the University's estate within Manchester of creating the new learning district in Manchester.

1.21 In September of this year, the new Birley Campus was opened, accommodating the Institute of Education and the Faculty of Health, Psychology and Social Care from the former Didsbury and Elizabeth Gaskell Campuses. The Aytoun and Hollings Campuses have already been accommodated within All Saints, in the new Business School and in the refurbished Cavendish Building. The North West Film Archive has relocated into the refurbished Central Library.

1.22 As a result of the delivery of this £350m programme of investment by MMU, the Aytoun Street Campus has been vacated. This SRF will enable the University to dispose of the Aytoun Street Campus in a manner that is commercially deliverable, and which not only supports the University's corporate objectives, but also makes a significant contribution to the long term economic growth of the city, its residential growth and place making ambitions.

Introduction

Economic Context

1.23 Manchester is a national engine of economic growth with a population of more than 500,000, sitting at the heart of a conurbation of 3 million people in the north of England. The City's economic success has historically been driven by its growing role as the leading professional and business service centre outside of London, global connectivity through Manchester International Airport and business and leisure visitors, with Manchester the third most visited city in the UK. More recently the city, recognising the dynamics of global market changes, has invested heavily in new sectors of growth – advanced manufacturing, biotechnology and life sciences – and working closely with The University of Manchester, has created new opportunities for sustained future growth, including the development of a global network of alliances and partnerships throughout the world.

1.24 Manchester City centre is the largest driver of employment growth in the North West and is at the centre of its economic, social and cultural life.

1.25 The city centre has undergone significant change over the last decade with the rise of city centre living and the majority of new jobs in the City having been created here. It is and will remain the largest driver of employment growth in the North West and the most significant focus for cultural activity and creativity in the north of England.

1.26 Reflecting this phase of economic growth, Manchester's population growth increased by 20% between 2001 and 2011 (based on Census figures). This is a higher level than Greater London (14%) and Inner / Central London (17%) and reflects Manchester's transformation over the last 20 years into a vibrant European City. The expanding opportunities in professional and business services sectors and the type of demographic that has significantly fuelled that growth (24-39

years), combined with the ever increasing attraction of the city as a place to live and work has been reflected in the patterns of growth in the housing market: between 2001 and 2011. During this time, the number of residential units in the city centre grew by over 10,000 (262%).

1.27 The national economy is now at the start of a new growth cycle. While Manchester, because of its diversified and expanding business base, has been relatively resilient over these last few years during the economic recession, the city is at the beginning of another surge of economic and population growth.

1.28 Manchester's GVA is forecast to grow by 43% between 2011 and 2023, a higher growth rate than the 34% projected nationally. 50,000 additional jobs are forecast by 2023, representing a much higher rate of growth than elsewhere in the UK; and of these an additional 30,000 jobs are expected in business and related services.

1.29 As a result, Manchester's population is expected to increase by 100,000 by 2030, and this together with well documented trends and changes in household formation will fuel an increase in demand for accommodation. Moreover, household projections and demographic trends suggest that the demand for apartments is likely to be considerable. This is evidenced by information from the Greater Manchester Forecasting Model (GMFM). The GMFM found that all Greater Manchester districts are forecast to experience population growth from 2007 to 2032. However, this growth is particularly strong within the two cities of Manchester and Salford, which account for 1-in-2 net additional residents in the forecast.

1.30 At the same time household numbers are forecast to grow year-on-year across the conurbation, with a quarter of the household growth within the City of Manchester, (which

also accounts for over 40% of the region's growth in households). Combined with this population and household growth is an anticipated fall in Manchester's household size between 2011 and 2026 from 2.3 people to 2.2 people. This will fuel an increase in demand for accommodation.

1.31 However, the recently refreshed Greater Manchester Strategy (2013) acknowledges that at the moment, Greater Manchester is not delivering the housing that it requires:

Greater Manchester has seen a dramatic decrease in new housing completions since the peak of the housing market in 2007 – new supply is running at around 3,000 per annum rather than the 9,000-10,000 we need (across Greater Manchester). A lack of available mortgage finance and difficulties in accessing development funding (problems common across the country) are the key barriers to overcome. Each passing year of underdelivery adds to the pressure on the existing housing supply, making it more difficult for new and existing households to find and afford homes that fit their needs and aspirations¹.

1.32 The Strategy recognises the need to make Greater Manchester an investment destination of choice. Creating high quality places is seen as critical to its success - neighbourhoods must be sufficiently attractive to attract and retain the diverse labour market required to support GM's growth objectives.

1.33 Following on from the above, Manchester's Core Strategy (2012) identifies that there is a need to deliver new residential development in the City centre to satisfy demand that has built during recent years as new residential development activity has subsided. The Strategy recognises that, since the early 1990s, housing has become an increasingly significant component of the city centre². This trend is set to continue as the Core Strategy acknowledges that the city

centre will see the most intensive development of housing in the City. Key locations for residential development include Piccadilly where the Site is situated (Policy CC3).

1.34 The drive to provide new residential development is reflected in Manchester City Council's draft Residential Growth Prospectus published in June 2013, which recognises the urgent need to consider measures that can be taken to accelerate the pace of housing deliver in the city given the critical relationship between employment and housing growth, the importance of a vibrant construction sector, and a successful housing market, to widen economic performance. The Report to the Executive Committee (June 2013) stated:

Performance of the economy of the region and sub region

An efficient and well-functioning housing market is essential for the economic wellbeing of the City and delivery of the Greater Manchester Strategy. If Manchester is to meet forecast population and employment projections there is an urgent requirement to increase the supply of good quality housing and support residents to own their own home.

Reaching full potential in education and employment

The delivery of the housing opportunities identified in the Prospectus will have major economic benefits for the City and for Greater Manchester as a whole. If housing delivery is accelerated jobs will be created across the supply chain and the development cycle, providing a positive impact on the performance of the local economy and the availability of local employment.

Neighbourhoods of Choice

The Prospectus is designed to create high quality neighbourhoods of choice across the City. The Prospectus sets out how it is proposed to work to accelerate housing growth at the same time as delivering

attractive and successful neighbourhoods where increasing numbers of people will choose to live, close to employment opportunities, public transport and all the other attractions of a successful and growing city.

1.35 Market demand for new housing to meet the specific needs of a growing population and changing demographics, means that there is demand for a mixed portfolio of both owner occupier and rented housing within the Study Area. As part of the rented element, there are real opportunities to capture new markets in the private rented sector, this is also reflected the City's residential Growth Strategy.

1.36 Privately rented accommodation now comprise 65% of the city centre residential stock and availability rates in the city centre have been quoted recently at just 5%. Following a period of significant growth since 1998 rental values have remained fairly constant over the last 12 months, and are higher than anywhere else (on average) in the city centre and fringe areas.

1.37 The private rented sector (defined as the open market private rented sector within this report) plays a valuable role in meeting housing demand and has increased the overall supply of dwellings at a time when growth in housing numbers is required. Occupiers can use it as a stepping stone to home ownership by saving for a deposit whilst in rented accommodation. It also allows for skill mobility and facilitates the labour market in an increasingly international business context.

1.38 The private rented sector provides lubrication to the sales market allowing it to function efficiently by allowing home owners to rent where required, thus improving the utilisation of housing stock, reducing voids and pressure on housing supply. The government has recognised, as demonstrated through a number of recent funding initiatives, the importance of the private rented sector to

react flexibly to market conditions, whilst offering quality accommodation and choice to households.

1.39 Located in a highly accessible location in the Piccadilly area Manchester city centre, the Aytoun Street Site can play a critical role in terms of meeting the City's housing needs. The Piccadilly area of the city centre has all the attributes that mean it can act as a major focus for population growth over the next 10 years including:

Access to the biggest employment hubs within the city centre including the creative hub of the Northern Quarter;

The nearby Civic Quarter and the City Core - i.e. the traditional Central Business District and Piccadilly itself;

Proximity to the cultural, leisure and arts facilities including the Cornerhouse, Palace Theatre, Manchester Art Gallery; Central Library and the Northern Quarter with its independent arts and crafts scene;

The city centre's prime retail area on its doorstep with high street names on Market Street coupled with independent retailing in the Northern Quarter;

Access to restaurants bars and nightlife across a range inspections including the adjacent village and nearby Northern Quarter;

Access to the biggest public transport hub in the city centre with the main line Piccadilly Station, Metrolink connections at both Piccadilly Station and Piccadilly Gardens; the Piccadilly Gardens Bus Interchange and a network of cycle and walking routes creating access to places of work across the conurbation and increasingly across the North and wider UK as the opportunities for high-speed rail are introduced at Piccadilly.

Introduction

Site Context

1.40 The Aytoun Street Site is in an important “gateway” location within Manchester city centre, lying around 200m from Piccadilly Station – the major gateway to the City and also a regional transport hub – it therefore plays a crucial role in defining the image and perception of the city centre (Figure 1.1 below). However, presently the Site does not link in with surrounding buildings, routes and spaces.

1.41 It is uninviting and almost impossible to walk through. It acts as yet another block between Piccadilly Station and the commercial core of the City to the west. The redevelopment of the Site presents a real opportunity to address this.

1.42 Development of the site will seek to extend the vibrancy of Canal Street southwards. It will help Piccadilly Station feel like it is part of the city centre. The Site will act as a stepping stone to link the city centre with the University’s North Campus – in short, it seeks to create a place where people want to be.

1.43 The Piccadilly Area has undergone its own transformation over the past decade involving significant levels of public and private sector investment. Major redevelopment schemes have taken place at Piccadilly Gardens, Piccadilly Basin and Piccadilly Station. In addition to this, Piccadilly Place has been successfully delivered immediately to the west of the SRF Site.

1.44 The area has strong links to the Capital and to other regional centres. These links are set to further strengthen with the arrival of HS2. The arrival of HS2 into Manchester will be the catalyst for a ‘once-in-a-century’ opportunity to transform and regenerate the eastern side of the city. This is reflected in the HS2 Manchester Piccadilly SRF which seeks to transform the area around Piccadilly Station in preparation

for and response to the opportunities created by the development of HS2. The starting point is to create a world-class transport hub and arrival point to the City.

1.45 Aytoun Street provides the most direct link between Piccadilly Station and the west of the city centre, but it is underused by pedestrians due to the lack of active street frontages.

The blockages to movement created by large city blocks bounded by private car parking and the uninviting and uninspiring public realm that is around the Site. The SRF site is on an important route between parts of the Piccadilly Gateway, for example between Piccadilly Gardens and Piccadilly Place. It also lies on the west/east route from Oxford Road to Piccadilly and on to the Piccadilly Basin. Piccadilly Place delivered a direct link from Piccadilly Gardens along Aytoun Street to Piccadilly Station, incorporating a pedestrian bridge from Aytoun Street to the top of Station Approach along with public open space with some animation provided by the presence of the ground floor cafe/restaurant in the Hilton Double Tree Hotel. There is an urgent and major opportunity to build on this earlier investment and develop further significant activity-generating uses on and around Aytoun Street.

1.46 The presence of vacated buildings on the Site now has an increasingly unwelcoming and negative effect on what should be important routes around the Piccadilly Gateway area, and between the area and other parts of the city centre. The continued presence of vacant buildings therefore undermine attempts to encourage further investment in the area.

1.47 In this context, the Site can be seen to hold a crucial and pivotal location in terms of establishing further viable links between the Piccadilly Station and important areas within the city centre, helping to integrate the Piccadilly area with the commercial core,

and substantially improve the quality of this important gateway route from the Station into the heart of the city centre.

1.48 The key characteristics of the Aytoun Site which define the opportunity include the following:

Excellent transport connections

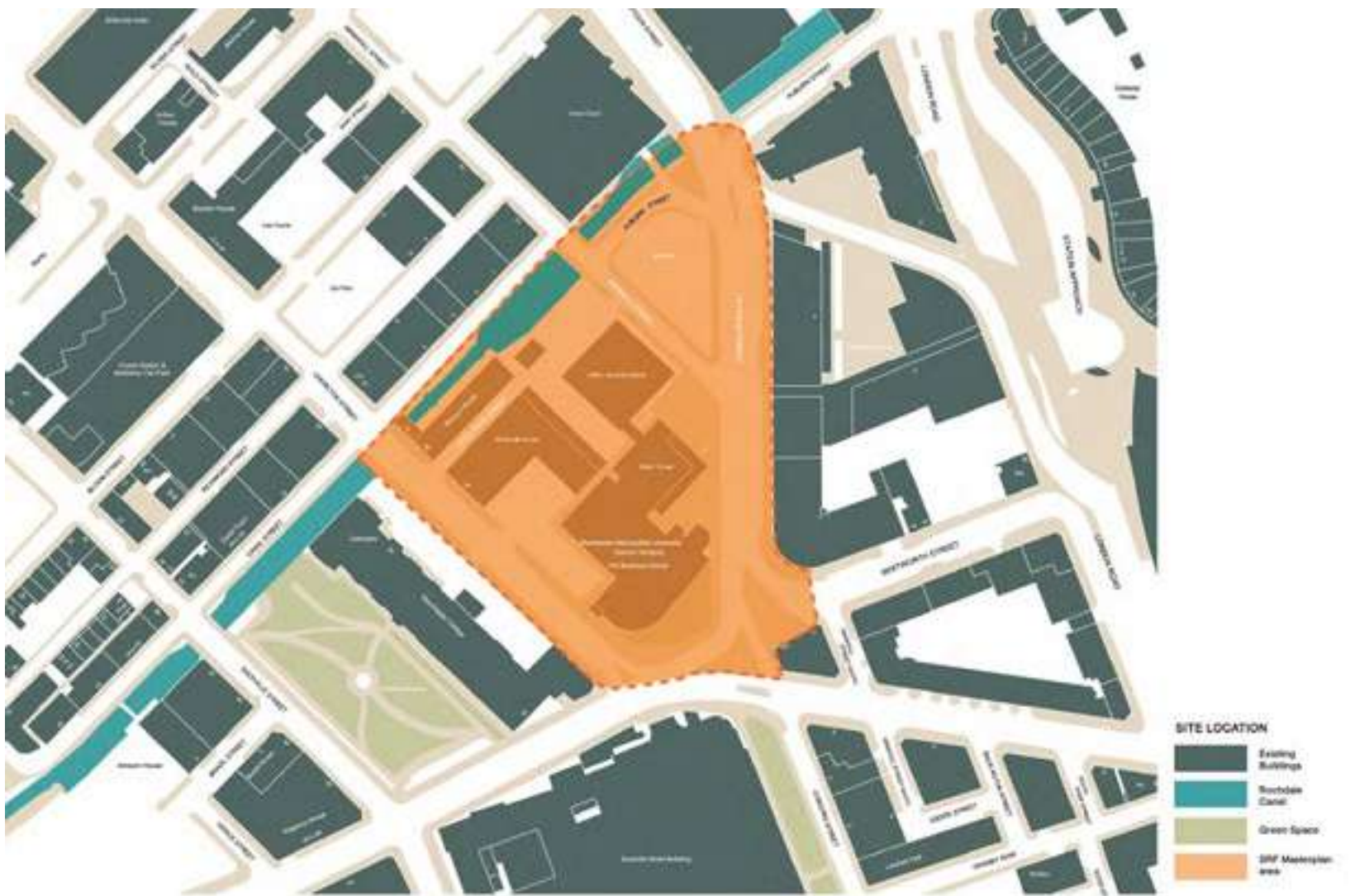
The site is extremely well located in terms of public transport linkages. Manchester city centre is at the heart of the most comprehensive commuter rail network in England outside London and the south east and frequent services operate to a wide range of local destinations delivering over 18,000 passengers to the city centre between 7.30 and 9.30 am each weekday morning. Manchester Piccadilly, the city’s main rail station offers high speed connections to London and is adjacent to the site.

It also provides a seamless interchange between the different transport modes. The Metrolink (tram) also offers services to surrounding districts from Piccadilly Station and Piccadilly Gardens and the free “Metro shuttle” service which connects Piccadilly Station to key destinations around the City by bus operates from the top of Station Approach and passes directly by the site.

The Site also plays an important connecting role for pedestrians. It is located on a key pedestrian route to and from the Piccadilly Gateway area to the commercial core of the city centre to the west.

The site has direct connectivity to the City’s Inner Ring Road and the M62, M61, M60 motorways. Additionally, the proposed plans for High Speed 2 will place a new Manchester terminus at Piccadilly on the doorstep of the Site which provides a unique selling point for any developer.

Figure 1.1: The SRF Site



Introduction

Heritage Context

The site is not located within a Conservation Area although is adjacent to the Whitworth Street Conservation Area. Proposals will therefore need to consider the impact on setting of the Conservation Area and seek to maximise the opportunity to reconnect the site into the Conservation Area and the significant vista along Whitworth Street. The site contains two Grade II Listed Buildings: Minshull House and the Minto & Turner Building, which front Chorlton Street and are separated by a single track cobbled street called Little David Street. The refurbishment and reuse of these buildings presents a real opportunity to enhance the positive impact they have on the surrounding area;

Proximity to the heart of Manchester's knowledge economy and Civic Quarter

The site is located less than 10 minutes from the Oxford Road Corridor and its wealth of knowledge-intensive and research institutions (e.g. University of Manchester, Manchester Metropolitan University and Central Manchester University Hospital NHS Foundation Trust).

The businesses operating in the Corridor provide a clear competitive advantage in terms of expanding and enhancing the city centre's economic activity outwards from its core areas along the Oxford Road axis. In addition to the extensive clustering of facilities which already exist, this is further reinforced by the University of Manchester's announcement that it has committed to invest £1 billion over the next 10 years to create a world class campus for staff and students as part of its Estate Masterplan.

The Civic Quarter contains an internationally significant cluster of historic buildings (including Grade I and II Listed Buildings), important civic spaces and a number of world class conferencing, cultural and leisure uses. Significant public sector and infrastructure

improvements including the Town Hall Complex and Central Library refurbishment, the re-design and transformation of St. Peter's Square and the expansion of the Manchester Central complex are being implemented; and,

Other land use adjacencies (Figure 1.3 below)

There is a significant and established residential population in the vicinity of the Site. This includes within the grand converted historic warehouses that line Whitworth Street, the Hub at Piccadilly Place, the Grand and Mercury Buildings on Aytoun Street as well as numerous developments immediately north of Piccadilly Station up to (and beyond) Great Ancoats Street. The Site is located at the north eastern end of Canal Street (the Village).

The defining quality of Canal Street lies in it being the home of the Lesbian, Gay, Bisexual and Transgender community, containing many special services and resources and, of course, the night time and leisure scene for which it is world-famous. The Canal Street area is home to one of the most concentrated clusters of independent small businesses in the city centre, and also has a long-standing and very diverse residential component.

China Town is located to the west of the site; it is a small but very well defined area lying at the geographical heart of the city centre. The area contains many restaurants, shops and small businesses, as well as significant levels of housing.

The Northern Quarter is located a short distance to the north of the Site. It is popular for its numerous bars and cafes as well as its mix of niche retailing including music and clothes shops. The area is also known as a home to the creative industries, in particular fashion design, with various designers, agencies, and clothing wholesalers populating its back streets as well as other occupiers in Telecommunications, Media and Technology (TMT) sectors.

The Site is also within close distance of existing retail and leisure destinations in the city centre including the Primary Shopping Area of Market Street. There is great potential for The Site to support commercially viable ground floor activity and complementary cultural / leisure facilities that would support wider economic development, leveraging off the existence of the footfall and activity that the existing facilities provide. The proximity to these highlighted districts adds to the attraction of Site which is likely to be fuelled particularly by the primary 24 to 39 year old age group which has tended to dominate the residential sector in the city centre.

1.49 Based on these opportunities the SRF seeks to deliver a high quality and contextually responsive scheme – blending contemporary architecture with refurbished and restored Listed Buildings and high quality spaces and improved linkages.

1.50 By adopting this approach, the delivered development will act as a catalyst to the wider regeneration of this quarter of the city centre.

1.51 The remainder of this document is organised as follows:

Section 2 of this document describes the Site and provides an overview of its historic use;

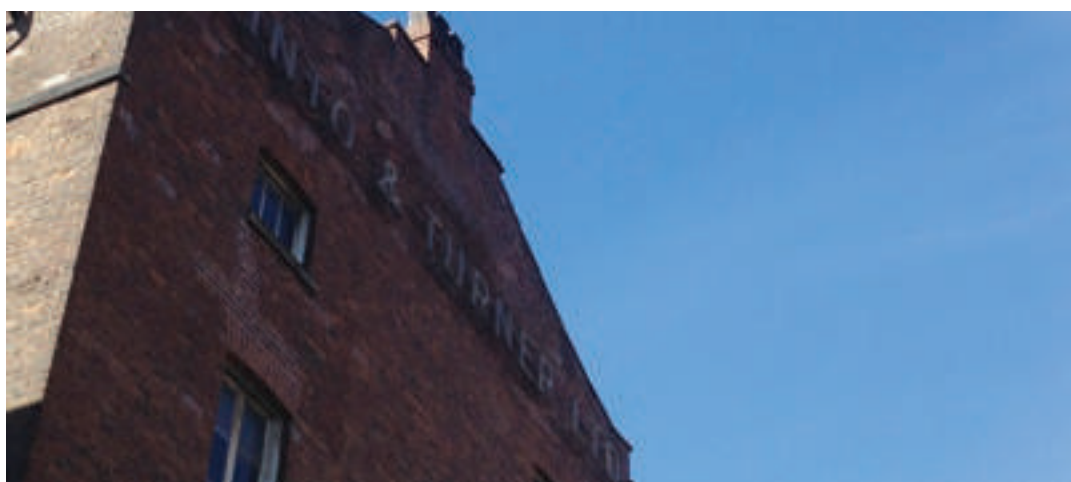
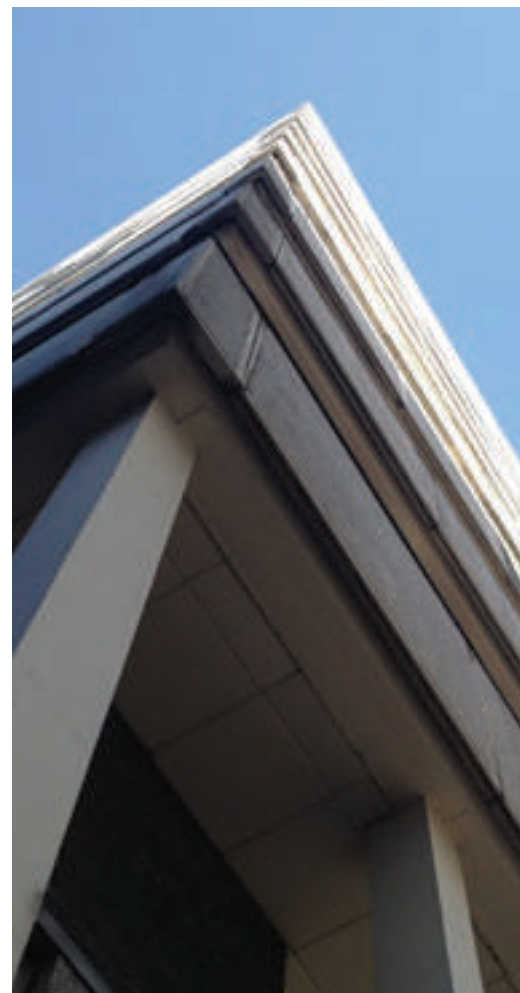
Section 3 identifies the strategic planning and regeneration context against which the framework proposals have been considered;

Section 4 provides a detailed site analysis;

Section 5 sets out the framework for the redevelopment of the Site. This includes the core development principles which will guide future works on the Site; and Section 6 sets out the delivery strategy for redevelopment of the Site.

1.52 The planning status of this document following its adoption will be as a material consideration in determining all planning applications relative to the Site. Whilst it does not form part of the Development Plan, it has been prepared to be consistent with the adopted policies of the Council's up-to-date Core Strategy.

1.53 This document has been prepared in consultation with Manchester City Council by Deloitte Real Estate on behalf of Capital & Centric Developments Ltd and Henry Boot Developments Ltd with input from Hurd Rolland Partnership, Stephen Levrant: Heritage Architecture and AECOM. It is intended to become a focus for consultation with adjacent site owners and other key stakeholders.



Introduction

Figure 1.2 Walk Times from the Site



Figure 1.3: SRF Site Context



Policy Context and Strategic Fit

Introduction

2.1 This section of the SRF sets out relevant policy guidance, both at a national and local level. It also provides an overview of other regeneration projects in the city centre and an understanding of how the redevelopment of this Site will help meet the wider objectives of the Council.

2.2 These include the HS2 Regeneration Framework area, Mayfield, The Corridor (including the Civic Quarter and First Street), the Former BBC Site and North Campus.

2.3 Commentary of the SRF proposals accordance with key policy mandates can be found at Appendix A

National Policy

National Planning Policy Framework

2.4 The national policy framework for the development of the site is provided within the National Planning Policy Framework ("NPPF") published in March 2012

2.5 The overarching aim of the NPPF is to achieve sustainable development by satisfying the economic, social and environmental dimensions as set out by the Framework (paragraph 7). The NPPF goes on to advise that these roles should not be undertaken in isolation, because they are mutually dependent. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously.

2.6 In the context of both plan-making and decision-taking the NPPF sets a presumption in favour of sustainable development, which requires that development proposals that are found to be in accordance with the Development Plan should be approved without delay (paragraph 14).

2.7 The document states that the policies

included in paragraphs 18 to 219 (taken as a whole of the document) constitute the Government's view of what sustainable development in England means in practice for the planning system.

2.8 The NPPF states that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking.

2.9 The NPPF recognises the importance of town centres and directs planning policy to be positive and promote competitive town centre environments. It is important that local plans allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres. The NPPF acknowledges the important role that residential development can play in ensuring the vitality of centres and sets out the measures that should be utilised to significantly boost the supply of new housing.

2.10 The redevelopment of the Aytoun Street Site will come forward in full accordance with the key tenants of national planning policy. The regeneration of the Site will:

NPPF Key Tenants

Develop an underutilised, previously developed site to provide a high-quality mixed use development including new housing to meet local needs as well as facilities for both visitors to and users of the city centre. This would assist in building a strong economy on several levels through the creation of employment during construction along with permanent employment from the proposed uses and creating places to live that will help support the creation and retention of talent to the city, particularly the graduate market.

Develop a key site in a prominent location that is located within one of the City Council's existing major regeneration priority areas to

an exceptionally high standard.

Facilitate sustainable development and contribute to wider sustainability and health objectives. Located in a highly accessible location in close proximity to Piccadilly Station, the Metrolink network and the bus network it will give people a real choice about how they travel.

Improve pedestrian linkages within and around the Site, thereby improving connections to and from other key regeneration areas across the city centre.

Enhance the appearance of the Site within the street scene and ensure that the character and setting of heritage assets is enhanced.

Local Policy

Stronger Together: Greater Manchester Strategy 2013

2.11 The Greater Manchester Strategy, Stronger Together, is the sustainable community strategy for the Greater Manchester City Region. It was originally prepared in 2009 as a response to the Manchester Independent Economic Review (MIER) – the most robust analysis ever undertaken of a city, led by global experts.

2.12 MIER identified Manchester as the best placed city outside London to increase its long term growth rate based on its size and productive potential. The vision for Greater Manchester is that by 2020, the City Region will have pioneered a new model for sustainable economic growth based around a more connected, talented and greener City Region, where all its residents are able to contribute to and benefit from sustained prosperity and a high quality of life.

2.13 The Strategy sets out a programme of vigorous collective action based on reforming public services and driving sustainable economic growth to deliver prosperity for all. The GMS states that the region must anticipate

changes in global demand and put in place the economic conditions that position Greater Manchester to succeed. Under the banner of Creating the Conditions for Growth, it states:

We must ensure that our offer is informed and driven by investor demand, offering value-based, flexible workspaces that meet the changing demands of investors in locations where the market wants to go. We must put in place the technology offer to support innovation in business products and service delivery across the public and private sectors, supporting the development of creative clusters and centres of research and development. We must build on the benefits of our agglomeration economy to strengthen our Regional Centre, extending it to the east and west, and capitalise on the assets in the 'Manchester Corridor', our central business and education district, critical to the flow of people, goods and ideas through the Greater Manchester area.

2.14 By supporting development of the Aytoun Street Site , a number of the GM Strategy's key growth priorities will be met, including:

GM Strategy Growth Priorities	Aytoun Site
Revitalising our town centres	✓
Creating the spaces and places that will nurture success	✓
Stimulating and reshaping our housing market	✓
Improving connectivity locally, nationally and internationally	✓
Supporting business growth with a strong, integrated offer	✓

Manchester Core Strategy Development Plan Document (2012)

2.15 The adopted Manchester Core Strategy sets out the City Council's Vision for Manchester to 2026, along with the planning policies that provide the framework for delivering that Vision. The Vision is for a flourishing knowledgebased economy, based on the strength of the Regional Centre and Manchester Airport.

2.16 It provides a spatial strategy for growth, which supports the key priorities as identified in the GMS 2013-2020, identifying that Manchester will be the driver of the City Region economy due to the location of key assets in Manchester city centre.

2.17 Key policies which will oversee the development of the Aytoun street Campus include:

Core Strategy Policy

Policy SP1 Spatial Principles
Details the key spatial principles which will guide the strategic development of Manchester to 2027. The policy states that the Regional Centre of Manchester will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living.

Policy EC1 Employment and Economic Growth in Manchester Directs future employment growth to the Regional Centre and Manchester Airport, with Manchester city centre expected to provide 33 hectares of employment land in a range of B Use Classes over the plan period.

The primary focus for B1 office development will be Manchester city centre, with encouragement given to the Manchester Corridor as a strategic location, because of its critical assets including the higher education facilities, hospitals and health / medical research facilities.

Policy EC 3

Regional Centre

States that within the development for employment generating uses including offices and other commercial development will be encouraged. Office developments will be appropriate providing that they are in locations which are well connected by sustainable transport to both the city centre and residential areas.

Housing will also be an appropriate use within the Regional Centre, although this should complement the development of mixed use employment areas. Subject to site and location details, the Regional Centre will generally be a location where higher density residential development is appropriate.

Policy CC1

Manchester City Centre

The city centre is a strategic economic location and focus of employment growth in the City and City Region. The city centre is expected to accommodate 33ha and the city centre Fringe 25ha of office or similar employment development. Within the city centre and the fringe a variety of high quality accommodation types, sizes and foot-plates will be encouraged to boost investment by local, national and international businesses. The city centre and fringe will be considered a suitable location for the consideration of high density buildings and commercially led mixed use schemes.

The focus for employment growth will be in B1a high density offices and the Council will give particular encouragement and support for such development in a number of locations including Piccadilly.

Policy CC3 City

Centre Housing

The city centre will see the most intensive development of housing in the City. It is expected that a minimum of 16,500 new units will be provided from 2010-2027. Key locations

Policy Context and Strategic Fit

for the residential development include Piccadilly. Residential development in the city centre will comprise apartment schemes. The Council will encourage accommodation of a high standard which offers accommodation which is large enough to suit a range of occupants, in terms of both the number of rooms and their size.

Policy CC 4

Visitors - Tourism, Culture and Leisure
Confirms the city centre will be the focus for culture and leisure in the City Region. Proposals to improve the appearance, use and accessibility of all cultural and visitor attractions and associated facilities will be supported. The improvement of facilities for business visitors will also be supported. New hotel development which contributes to the quality of the city centre hotel offer will be supported.

Policy CC 5

Transport
States that developments which improve pedestrian safety, improve air quality and increase the scope for accessible public realm improvements will be supported. This will be an important consideration in the development of the Aytoun Street site.

Policy CC 6 City

Centre High Density Development
Confirms the city centre development will generally be high-density. It is a location where land should be used to maximise its efficiency. The appropriate scale, massing and height of development in the city centre will significantly exceed what is appropriate elsewhere in the City.

Policy CC 7

Mixed Use Development
States that the city centre presents the most viable opportunities for mixed-use development, and in general these will be promoted as a means of using land as

efficiently as possible. Active ground floor uses (shops, food and drink and leisure) will be appropriate in locations which have an established public function, or as part of a development which will create such an environment.

Policy CC 8

Relates to Change and Renewal across the city centre
The City Council has identified the types of development and approach to development which is considered most likely to deliver the vision for the city centre and development which reflects elements of this will generally be supported. The approach to development, and redevelopment, in the city centre will welcome large-scale schemes. Developments which make significant contributions to the city centre's role in terms of employment and retail growth or which improve the accessibility and legibility of the Centre will be supported, subject to the proposal's impact on key aspects of the City's heritage and character. New development should fully exploit opportunities to contribute to the improvement of the city centre in terms of character and function. These considerations are essential in relation to the development of the SRF site.

Policy CC 9

Design and Heritage
States that the design of new buildings will need to be of the highest standard in terms of appearance and function. Development in Manchester city centre should preserve or enhance the heritage assets that have been identified, including listed buildings and conservation areas. This is of particular relevance to the Site given the heritage assets within it's the defined boundaries and in close proximity.

Policy CC 10 A

Place for Everyone
Highlights that the city centre should develop as a location which appeals to a wide range

of residents and visitors. Development which promotes this objective will be supported, particularly through uses which increase the diversity of activity in the city centre, with an emphasis on family-oriented activity and high standards of accessibility to buildings and across spaces in the city centre.

Policy H1 Overall

Housing Provision
High density developments (over 75 units per hectare) are appropriate in both the city centre and parts of the Regional Centre given the accessible location. Within the city centre there will be a presumption towards high density housing development, within mixed use schemes which contribute towards regeneration initiatives or niche housing markets by providing sustainable, well designed accommodation which meets the needs of workers moving to Manchester. The city centre is also an appropriate location for purpose built student accommodation.

Policy EN 2 Tall

Buildings
The Policy defines 'Tall Buildings' as buildings which are "substantially taller than their neighbourhoods and/or which significantly change the skyline". Proposals for tall buildings will be supported where it can be demonstrated that they:

are of excellent design quality;

are appropriately located;

contribute positively to sustainability;

contribute positively to place making, for example as a landmark, by terminating a view;

or by signposting a facility of significance;

will bring significant regeneration benefits.

Policy EN3

Heritage

States that the Council will encourage development that is complementary to and takes advantage of the distinct historic and heritage features. New development must be designed to support the Council in preserving or where possible, enhancing the character, setting and accessibility of areas and buildings of acknowledged importance. This is of particular relevance to the Site given the heritage assets within the defined boundaries.

Policy T2

Accessible Areas Of Opportunity And Need States that the Council will actively manage the pattern of development to ensure that new development in the city centre provides a level of car parking which reflects the highly accessible nature of the location, as well as the realistic requirements of the users of the development. Proposals should have regard to the need for disabled and cycle parking, in line with the minimum parking standards contained in Appendix B of the Core Strategy.

Manchester Unitary Development Plan (1995)

2.18 Alongside the adopted Core Strategy, the Council has 'saved' a number of policies from its Unitary Development Plan (UDP) against which applications for planning permission will be considered. The Site falls within UDP City Centre Small Area 17. UDP Policy RC20 (Area 17) relates to the area formed by Princess Street, Whitworth Street, Portland Street and Aytoun Street in Manchester city centre. The policy sets out a detailed set of observations and objectives for the area with the following extracts directly relevant to the Site:

"Princess Street has an important function as a radial route whilst to a lesser extent Aytoun Street and Chorlton Street also have important traffic roles. Opportunities to improve the frontages to these routes need to be carefully handled.

"To improve the general environment of the area, site treatment should aim to improve the setting for existing buildings to include elements of incidental open space and to establish attractive relationships between buildings and open areas.

"Additional incidental open space and improved canal side access need to be part of the general environmental improvement of the area."

Manchester City Centre Strategic Plan

2.19 The Manchester City Centre Strategic Plan (published in 2009) presents a vision for the city centre and sets out the strategic action required to work towards achieving this over the period from 2009 – 2012. The Plan identifies the contribution that each district should make to the city centre and recognises the key role of the city centre in providing a positive image and framework for inward investment. The Piccadilly Gateway has attracted investment in its regeneration and infrastructure. Given Piccadilly's huge footfall – as a major gateway to the city and also a regional transport hub – the area is critical not only to the city's functionality but also in forging perceptions about Manchester and the city-region. Piccadilly continues to attract investment and is a desirable office location. The area is identified as one of ongoing regeneration where the emphasis is on improvements to the perception of Piccadilly as a key Gateway to the city centre from Piccadilly Station.

2.20 The redevelopment of the site will seek to complement existing uses in the area and make a significant contribution towards the objectives contained within the Strategic Plan. Manchester Residential Growth Prospectus 2.21 Recognising the critical relationship between housing and economic growth, the City Council is in the process of preparing a Residential Growth Prospectus. The draft prospectus sets out how the City Council

proposes to work in order to encourage accelerated housing growth and guide the delivery of stable and attractive neighbourhoods offering quality housing that will retain and attract those people who are fundamental to creating wealth.

2.22 As part of the Council's response to the current market conditions, a Draft Housing Prospectus (approved by the Council's Executive on 18 June 2013) has been developed with the aim of providing the development industry and other key stakeholders with a clear message regarding the city's ambitions for future housing growth. The key message of the document is that Manchester is open for business in terms of housing development and that the Council is keen to work proactively with its partners to increase the pace of housing delivery.

2.23 The Draft Prospectus has been developed in the context of population and household forecasts that suggest by 2031 there will be a need for some 47,000 households across Greater Manchester³. Six principles inform the document:

Building more new homes – with a growing population we need to provide high quality homes for sale and rent to meet future demand.

Creating pathways to home ownership – we aim to deliver more homes with mortgage products people can afford to buy, enabling them to play a bigger role in the City's economy.

Developing a quality private rented sector (PRS) – good quality, well managed accommodation to rent makes an important contribution to the city's housing – accounting for over half of all economically active households in the city centre and fringe.

Policy Context and Strategic Fit

Bringing empty homes back into use – while housing is in short supply we cannot allow homes to stay empty.

Ensuring that the Council’s planning framework and policies provide the appropriate support for residential growth.

Developing a strong sense of place and high quality neighbourhoods – sustainable neighbourhoods require much more than new housing development. The City Council’s objective is to ensure the right mix of facilities and good management that creates more high quality neighbourhoods of choice.

2.24 The starting point for the Prospectus is the urgent need to build more new homes in order to provide high quality housing for sale and rent to meet future demand from the growing population of the City. The Prospectus looks to address undersupply and in particular the development impasse, that had until recently been evident in recent years in the City across all house types and tenures.

2.25 A key aspect of the City Council’s supporting interventions is to ensure that the local planning framework provides the appropriate support for residential growth. Housing is one of the key Spatial Objectives in the Core Strategy and through this the Council aims to provide for a significant increase in high quality housing at sustainable locations throughout the City and the creation of high quality neighbourhoods with a strong sense of place. The character of the City’s residential pipeline lends itself to the delivery of a new quality private rented sector (PRS) in the city centre and fringe.

2.26 Within the context of the promotion of a range of financial mechanisms by Government that are aimed at increasing housing delivery, the City Council is keen to attract major investors, prioritise site release and where possible help secure sites already assembled,

target financial products to enable home ownership, assist marketing and deliver a pipeline of priority locations for housing development. target financial products to enable home ownership, assist marketing and deliver a pipeline of priority locations for housing development.

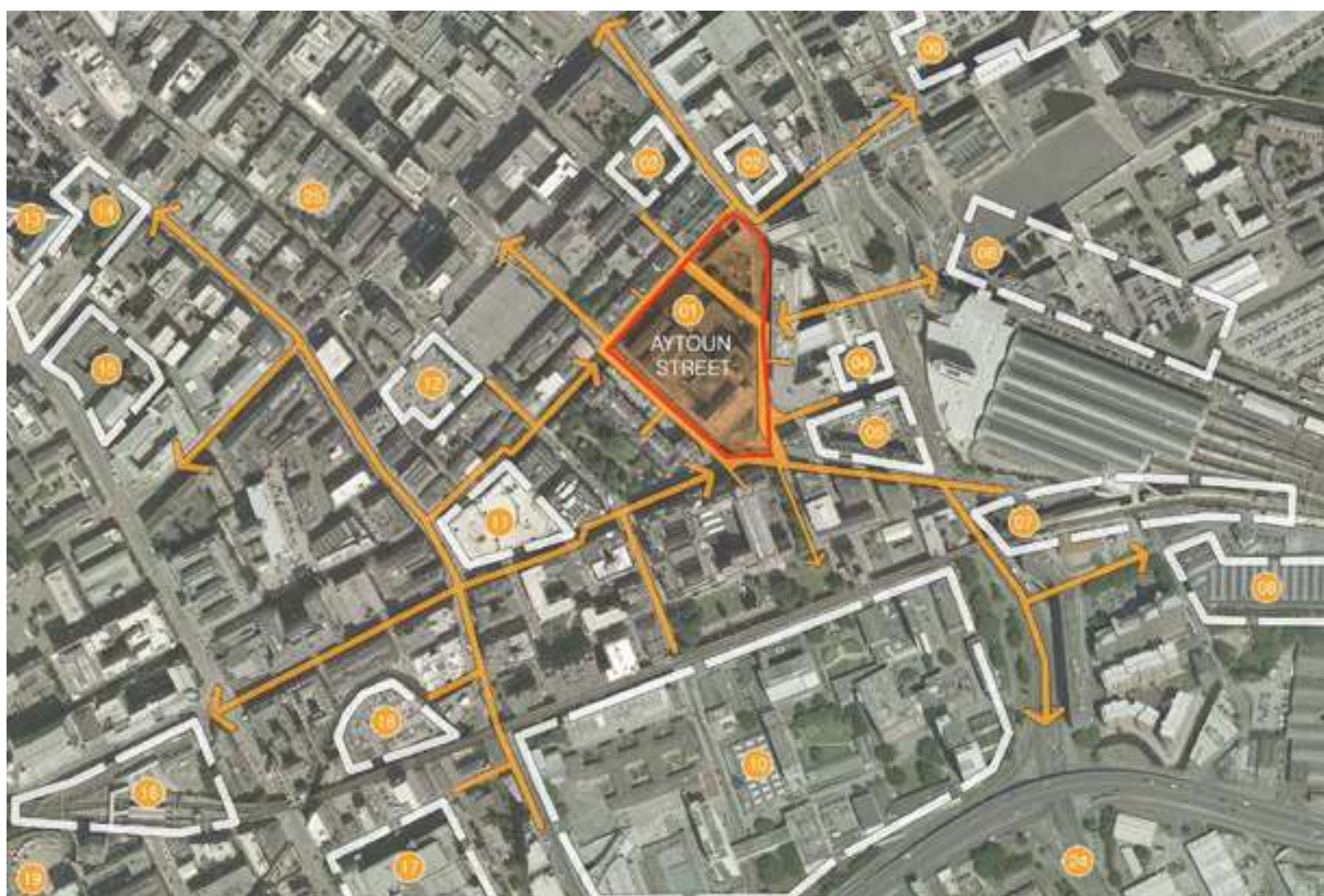
Manchester Place

2.27 Manchester Place is the recently announced partnership between Manchester City Council and the Homes and Communities Agency (HCA) which aims to create a pipeline of development-ready sites to help Manchester deliver its housing targets. Manchester Place will work with investors and developers and others who wish to support high quality housing across the city to ensure there are sufficient opportunities. Where justified, this could include providing access to HCA funding.

2.28 Key tasks for Manchester Place include working with landowners to get sites ready for development, assembling land where necessary, and using the land resources and market intelligence of both the Council and HCA to produce a co-ordinated response to government initiatives encouraging house-building. Receipts from land sales will be recycled for housing and associated developments supporting growth.

2.29 An annual investment plan will identify priority areas for public and private sector investment which can unlock residential growth. These will be designated as Investment Action Areas, including the city centre.

Figure 2.1: Regeneration Context



- | | | |
|--|------------------------------|------------------------------|
| 1 SRF Masterplan area | 9 Piccadilly Basin | 18 Northern Hub improvements |
| 2 Former employment Exchange – 306 bed Holiday Inn Hotel | 10 North Campus | 19 First Street |
| 3 Westminster House car park pilot | 11 Origin (unbuilt) | 20 King Street |
| 4 Motel One | 12 Sackville Street car park | 21 Piccadilly Gardens |
| 5 London Road Fire Station | 13 Town Hall redevelopment | 22 The Northern Quarter |
| 6 High Speed Two terminal | 14 St Peter's Square | 23 New Islington |
| 7 Northern Hub Transport improvements | 15 One St Peter's Square | 24 Southern Gateway |
| 8 Mayfield Station | 16 Future development plot | 25 Chinatown |
| | 17 Former BBC site | |

Wider Regeneration Context

2.30 The area encompasses a number of regeneration frameworks which are identified below and illustrate the wider physical and functional connections the Aytoun Street Campus will benefit from (Figure 2.1 above). These are summarised below.

HS2 Manchester Piccadilly

2.31 In January 2013, the UK Government announced its commitment to Phase 2 of High Speed Rail 2 (HS2). The delivery of HS2 in around 2033 should provide a massive economic boost to the cities of the North of England. HS2 will provide essential additional capacity across the rail network, shorten journey times between Britain's major population centres, boost the economy and create thousands of jobs.

2.32 The scheme also has the potential to provide a catalyst which can attract further investment into Greater Manchester by creating a new gateway into the regional centre and boost investor confidence in the area. Specifically, the proposals for HS2 stations at Manchester Piccadilly and Manchester Airport provide major opportunities for stimulating economic growth and regeneration in the surrounding areas.

2.33 The HS2 Manchester Piccadilly SRF was published in draft format in August 2013 and reported to the

Executive in September 2013, in order to respond to the opportunities presented by HS2 and the Northern Hub. The Framework proposes significant changes in the vicinity of the station and also sets out preferred options for the design and functionality of the station itself.

2.34 The SRF builds on work to update the regeneration framework for the Mayfield area. The starting point for the SRF is the once-in-a-century opportunity provided by HS2 and the Northern Hub to create a world class transport hub and arrival point into the city, and to transform the eastern side of the city centre by defining a unique sense of place and new districts and providing key linkages between East Manchester and the city centre. The size and scale of the area – approximately 140 acres – also means it is one of the largest regeneration opportunities within the city centre.

2.35 A number of key themes have informed the proposals within the SRF. These are:

Maximising the opportunity – using the catalyst of HS2's arrival to create a new gateway and extend the boundaries of the city centre eastwards to the inner ring road and beyond.

Place making – creating a new district focussed around the station and a new

Boulevard with public spaces, streets and buildings that generate activity and promote city pride.

Townscape integration – an area with its own character but also a seamless extension of the city centre which facilitates new routes and better connections.

Neighbourhoods of choice – a diversity of neighbourhoods that attract people to live, work and socialise in.

Transport connectivity – creating proposals that capture the potential for Piccadilly Station to be one of the world's great transport buildings which can capitalise on the area's unique location on the doorstep of one of Europe's largest multimodal transport interchanges.

Market viability – defining proposals that offer a clear vision to investors and which are flexible and able to adapt to changes in demand.

A new public park connecting Mayfield Park and the Medlock Valley.

2.36 The Aytoun Street Site is located within a few minutes' walk from the HS2 SRF boundary and on a key route between the city centre and Piccadilly Station. The delivery of a HS2 station at Piccadilly will enhance the Site's appeal to the increasing range of occupiers operating in a global market

Figure 2.2 HS2 Manchester Piccadilly Masterplan



1	HS2	7	East Village	14	Etihad Campus
2	Existing Piccadilly Station	8	Piccadilly Central	15	East Manchester
3	New civic arrival space	9	Piccadilly Heights	16	Ardwick
4	New shared concourse and air rights development	10	Mayfield	17	University
5	Tall buidlings mark arrival of HS2 into Manchester City Centre	11	New Northern Hub platforms	18	Sackville Gardens
6	Piccadilly North	12	Piccadilly Gardens	19	London Road Fire Station
		13	New Islington	20	Holt Town

place that require national and international connectivity.

2.37 Initial estimates suggest that development on and around the new Station could support over 3,000 housing units and almost 30,000 jobs. In short, the Site has the potential to capitalise on this future accessibility and investment and it will play a key

role in strengthening connectivity between the city centre as whole and the major new international transport node at Piccadilly.

Mayfield

2.38 A Strategic Regeneration Framework (SRF) was first adopted for the site in 2010. Mayfield occupies a 20 acre site adjacent to Piccadilly

Station, and sits within the Eastern Gateway area of the city centre. The area is bounded by the Inner Relief Road (Mancunian Way) to the south, Fairfield Street to the north and London Road to the west (Figure 2.3 below).

2.39 Mayfield is viewed as a logical extension of, and a natural progression for the growth of Piccadilly, and the city centre.

2.40 An updated SRF presents Mayfield as a distinctive new urban quarter that defines a key gateway into Manchester and extends the high quality environment of the city centre. Enhancing connectivity beyond the confines of the site would act as a catalyst to maximise wider regeneration benefits and provide amenities and facilities for adjacent communities. The SRF has been drawn up in the context of the wider regeneration of the Piccadilly area brought about by the opportunities presented by HS2 and the Northern Hub rail schemes.

Policy Context and Strategic Fit

2.41 The Mayfield scheme forms part of the overall development proposals for the Piccadilly area, a site of 140 acres in total. The potential upgrades to Piccadilly Station, the opportunities presented by the Northern Hub development strategy and HS2 would together create major physical and economic regeneration benefits for the city as a whole and the Piccadilly area in particular. The proposals for both sites are integrated and connections between the two sites will be significantly enhanced.

2.42 The Mayfield SRF includes and supports efforts to secure the re-use and refurbishment of the London Road Fire Station; important historic asset. The Mayfield SRF states that the successful regeneration of the Fire Station is critical to creating the conditions for comprehensive transformation of the Mayfield area. Clearly there is an opportunity for the redevelopment and refurbishment of the Aytoun Street Site to provide a critical stepping stone, connecting core city centre areas and activities to the Mayfield Area, which is currently very peripheral but clearly has a significant amount of future development potential.

Figure 2.3 Mayfield SRF Masterplan



North Campus

2.43 The North Campus is a key regeneration area which is recognised with The Corridor vision and also the HS2 Manchester Piccadilly Strategic Regeneration Framework. The Aytoun Street Site is adjacent to the University of Manchester 'North Campus' which has been declared surplus to the University's requirements following its announced £1 billion investment to create a single campus on Oxford Road.

2.44 The Corridor vision recognises the North Campus as an employment site. The 2013 Strategic Regeneration Framework for HS2 Manchester Piccadilly highlights that the station should incorporate and promote clear and vibrant connections to neighbouring areas including Mayfield, North Campus and Piccadilly Central.

2.45 Within the SRF it is stated that a development strategy has been produced for the University of Manchester's North Campus.

2.46 The area will be a mixed use district with a focus on knowledge industry research-related activity. Located southwest of Piccadilly Station and west of London Road from the Mayfield Strategic Regeneration Framework; the area will benefit directly from the advent of HS2 and its proximity to the integrated transport hub.

The Corridor

2.47 The Aytoun Street Site is situated in a key location on the principal route connecting Piccadilly Station to The Corridor. The Corridor Vision 2020 presents the ambition for the future of the Corridor, a strategically important economic driver for the City, which has the most significant concentration of knowledge-based assets and potential for growth in the UK today.

2.48 Corridor Manchester is the first partnership of its kind in the UK, bringing together Manchester City Council, the University of Manchester, Manchester Metropolitan University and the Central Manchester University Hospitals NHS Foundation Trust to build on the partners' investments in the 243 hectare Corridor area, which runs south from St Peter's Square to Whitworth Park along Oxford Road.

2.49 The Partnership also recognises the significant potential that exists to extend the benefits of this economic growth to the neighbourhoods immediately surrounding the Corridor, including Ardwick, Rusholme, Moss Side and Hulme. These are some of the most deprived neighbourhoods in the UK; however, they are also vibrant and diverse communities with a great deal to offer to the economic and cultural life of the City.

2.50 The Corridor's Strategic Vision to 2020 sets out the focus of the Corridor

Partnership, with the key task being to generate further economic growth and investment in the knowledge economy for the benefit of the City Region, building on the unique advantage of the wealth of knowledge intensive organisations and businesses operating in the Corridor.

2.51 The vision includes objectives to:

Improve connections between the Corridor Area and the local communities to the east and west.

Turn the main Oxford Road / Oxford Street Boulevard into a green boulevard linked to the city core via the redesigned St Peter's Square.

Provide landscaped routes for pedestrians and cyclists.

Be a place of quality employment, skills training and education at all levels.

2.52 The Corridor Vision recognises that 43% of activity within the area is in knowledge-intensive sectors, which is much higher than the national (22%) and regional (21%) averages. The University of Manchester is one of the pivotal Corridor Partners. Its world class academics lead cutting edge research programmes in a range of fields which in turn has produced many of the high value businesses in the Corridor today.

Policy Context and Strategic Fit

2.53 The Corridor Partnership has identified that by 2020 the Corridor will generate £4.8 billion GVA and supports a workforce of 77,000, achieved in part by a series of capital investments in the area predicted to be worth £2.5 billion. Significant investment that has already been committed or planned in the Corridor Manchester area includes:

Civic Quarter, containing a number of world class facilities, characterised by many of Manchester's most significant landmark buildings and civic facilities, including internationally recognised conference facilities at Manchester Central, the Town Hall and Central Library refurbishment, the redesign of St. Peter's square, the expansion of the Manchester Central complex and the construction of the £50 million One St. Peter's Square building. The Civic Quarter Regeneration Framework provides a basis for the regeneration of the area which is framed by Deansgate to the west; Peter Street, Mount Street and Lower Mosley Street to the north; Portland Street, Oxford Street and Lower Mosley Street to the east; and, Whitworth Street west to the south.

First Street: First Street is located at an important point of entry into the city centre from the Airport and from the south. The approved First Street Development Framework is primarily concerned with a creating "a sense of place", to help it become the heart and commercial focal point of a wider neighbourhood, which would include Whitworth St. West, Deansgate & Oxford Road Stations, Knott Mill, and the Oxford Road Corridor. The Masterplan proposes a commercially-led mix of uses, targeted at growth markets such as ICT, healthcare and R&D.

A £500 million investment by Central Manchester University Hospitals NHS Foundation Trust, including Saint Mary's Hospital, Manchester Royal Eye Hospital,

Manchester Royal Infirmary and Royal Manchester Children's Hospital.

A new 100,000 sq. ft. biomedical centre at the former Royal Eye Hospital site, namely Citylabs.

Manchester Metropolitan University: a new £75 million Business School and Student Hub, redeveloped Faculty of Art and Design building, and the new Birley Campus in Hulme.

Manchester Science Park: Masterplan to double the Corridor site.

§ An £8 million extension to the Whitworth Art Gallery and park.

2.54 These projects provide the foundation and stimulus for the area to support further economic growth into the future.

Former BBC Site

2.55 The SRF guiding the future redevelopment of the former BBC site and adjoining land at Oxford Road in Manchester city centre will also impact on the Aytoun Street Site regarding linked connections and benefits from proposed development. At just over 4 hectares in size, the Site's key attributes make it a remarkable opportunity for comprehensive, employment-led mixed-use regeneration and the only site with such characteristics on the Corridor. The SRF was endorsed by MCC at the 23 October 2013 Executive Committee.

2.56 Appropriate uses identified for the former BBC site include:

Offices – The former BBC site has been an established employment site within Manchester for decades and has a unique combination of locational characteristics which mean that the site can re-invent itself in a manner that will result in a distinctive, forward thinking, and sustainable commercially-led redevelopment that will respond to demand

for office accommodation over the next 10 – 15 years. The site's proximity to major institutions and proximity to bus corridors, Metrolink Interchanges and principal rail nodes means that the site is suited to a wider range of corporate occupiers and high added value businesses within forecast opportunity growth sectors including opportunities from business services related to Medical Device/ Technology companies, wider science and technology, healthcare, and digital and creative industries. The Universities world class research programmes e.g. Graphene and the increasing propensity for commercialisation of that research will provide further significant downstream opportunities in relation to The Corridor.

Cultural facilities and public spaces – A cultural attractor within the scheme would significantly enhance the attractiveness of the scheme to occupiers offering the types of business services referenced above. This would generate footfall, extend dwell time and contribute towards identification of The Site as a new city centre destination. It would also assist in anchoring a range of small format retail and leisure uses complementary to the scheme as a whole. Civic or public spaces will also be necessary to encourage movement through the site, establish east-west linkages and create a distinctive sense of place.

Summary

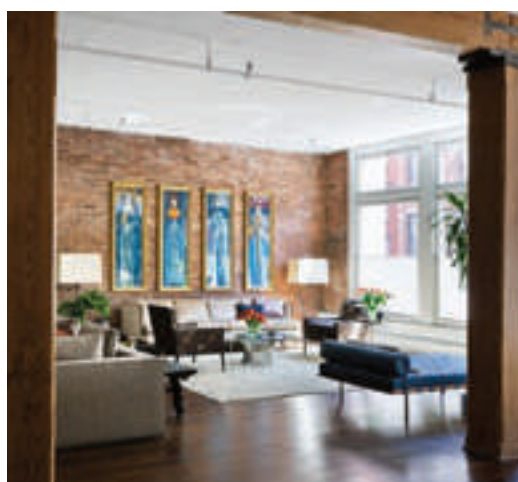
2.57 In the context of the significant levels of investment and regeneration that has already taken place and which is planned, the Aytoun Street Site holds a pivotal location in terms of spreading activity beyond the Piccadilly/ London Road axis, and substantially raising the profile of Aytoun Street as a high quality link from the Piccadilly Station to the south side of Piccadilly Gardens and towards other central areas such as Chinatown, Canal Street and onto the Civic Quarter and the Corridor.

2.58 In contrast, the existing presence of the vacant buildings has an unwelcoming and negative effect on this important gateway link with the city centre core and would undermine attempts to build on and encourage further investment in the area. This site therefore forms a very important element in the regeneration of the Piccadilly area.

2.59 The regeneration of the Site is consistent with both national and local planning policy and the City Council's economic development and regeneration plans. The site has a unique blend of characteristics which provide a remarkable opportunity for the city centre to continue its regeneration and drive economic growth across the City Region.

2.60 The nature of the uses proposed for the Site will add to the City's overall offer and would greatly assist the regeneration of the whole city centre in terms of its function, expansion, activity and integration.

2.61 There are no significant ownership constraints to delivery and the site is vacated. It is located at the heart of the city centre, the principal driver of economic growth in the City Region, and has the advantage of a gateway location. It has immediate accessibility to the Inner Ring Road and good public transport connections.



Site Analysis

Introduction

3.1 The Site presents a unique opportunity to deliver a project which can really support the delivery of the growth in the city centre economy and reinstate this gateway site to its former glory and to provide a significant positive contribution to Manchester.

3.2 The Site currently comprises MMU's vacated Aytoun Street Campus and the Euro Car Park surface car park, bounded by Auburn Street, Aytoun Street, Whitworth Street, Chorlton Street, and the Rochdale Canal.

3.3 Given its status as the Regional Transport Hub, Piccadilly is one of the most important points of entry into the city – a gateway route. The experience of pedestrians entering the City from Station Approach and Piccadilly is critical in terms of shaping first impressions of the City and the wider City-Region.

3.4 In its current condition, it is without question that the site currently detracts from this experience. The site has been vacated and a number of the buildings are in a state of poor repair. This is further exacerbated by the fact that the Listed Buildings on site, whilst clearly possessing historic merit, lie vacant. This means they do not provide the positive contribution they should as a focal points in the street scene, nor do they generate the activity levels that would truly allow their value to the City to be appreciated and enjoyed. At a very basic level, it is essential that the Listed Buildings are brought back into active use in order to secure their long term future

The Site

3.5 The site is located within the Piccadilly area of Manchester city centre and covers an area of 2.09ha. It currently comprises MMU's Aytoun Street Campus and the Euro Car Park surface car park, bounded by Auburn Street, Aytoun Street, Whitworth Street, Chorlton Street, and the Rochdale Canal.

3.6 Whilst the site has most recently comprised the Aytoun Street Campus of MMU, historically the Site was once a canal basin running southwards from the Rochdale Canal with the canal spur running between warehouses lining Chorlton Street and Minshull Street. A number of the smaller buildings on the Site are warehouses that would have been associated with this historic use.

The Buildings

Minshull House is a Grade II Listed building. It is listed for its architectural and historic interest as well as its group value alongside the Minto and Turner Building and the adjacent listed canal structures. Historic mapping illustrates how the building was constructed on the west side of the Banktop/ Bridgewater Trust Coal Wharf and that the canal basin came up to the rear of the building until the 1950s when it was in-filled and the land developed. The canal warehouse is L-shaped in plan and has a full width jettied upper floor to the rear (east) side, which would have over sailed the canal basin. The former vehicular entrance, on Chorlton Street, which would have allowed access into the building for loading purposes, is still visible as are the other former entrances on the north side of the building, facing Little David Street. Many of the original openings, including the windows, have been altered and the former elliptical arched entrance to Chorlton Street has been converted as an entrance stairwell providing access to the raised ground floor of the building. The removal of render from the front façade has resulted in damage to the brick and stone work. The interior of the building has been substantially altered to accommodate the university's facilities and office space. However, the internal cast-iron and wrought iron frame is still largely present. The building was most recently in use by the North West Film Archive as part of the MMU Library services. Little David Street separates the building from the Minto & Turner building, and is currently blocked off to the public. The rear

façade, facing the amenity block and former canal basin, has a corrugated metal partly cantilevering extension at first floor level with the original cast iron columns still in place. The courtyard formed by the L-shape of the building is currently used as a car park, with some grassed areas and hedges.

Minto & Turner Also Grade II Listed, the Minto & Turner property is a 19th Century four storey red brick warehouse with a sandstone façade to the Chorlton Street Elevation, and is flanked by a two storey brick lockhouse. The building is intact and retains many original fixtures and fittings. The building sits alongside the canal and marked the entrance into the former canal basin that would have run along the east end of the building. The rear elevation is gabled and has 'MINTO & TURNER LTD' mounted across the top. The elevation on Little David Street, facing Minshull House, features a red-painted cast iron fire escape and pulleys/ winches, and a more recent roll-down security shutter. The side overlooking the canal also has a cast-iron fire escape and wall ties, and the façade meets the tow path at its basement level. The Chorlton Street façade retains honeycomb grills to the basement windows, with white painted casement windows on the other levels. MMU Library The main elevation curves round Aytoun Street to Chorlton Street, and is clad with powder-coated aluminium panels. The five-storey library has horizontal coloured glass panes in the lower storeys, and a brise soleil at 3rd floor level, and a glazed circulation core to the North West corner. The building was completed in 1994 to a design by MBLA Architects and links to the 1960s amenity block at first floor level, and an open courtyard is formed at the North East corner of the property with the tower. It currently attracts litter and graffiti due to its vacant status. The older part of the library is a two storey brick and concrete construction, with a light coloured brick plinth and slight overhang at first floor level.

MMU Amenity & Tower Block The tower block is part of the 1960s MMU development and is twelve storeys high in a stark and Brutalist style representative of its era. The elevation has alternating horizontal bands of concrete and glazing, with white steel vertical elements creating a grid pattern. The ground and first floor are slightly recessed creating a colonnade behind the vertical steel

structure, and is clad with brick in contrast to the concrete. The North East side of the building creates part of a courtyard, with Minshull House and the Amenity Block, which is currently used for car parking. The Amenity Block is four storeys in height and clad for the most part in dark brown brick, and capped with grey concrete. The elevations are broken up with sections and strips of recessed

glazing, and the lower ground level is used for car parking. Architecturally and in urban design terms, the Amenity Block is poor – in the way it addresses the Rochdale Canal, the lack of active street frontages and its overt horizontal fenestration and lack of relief in its elevations.

Figure 3.1: Existing Buildings on the Site

MMU University



MMU Amenity Building



1960s Tower Block



Minto & Turner



Minshull House



Site Analysis

3.7 In addition, the SRF site includes the Euro Car Park (ECP) site accessed off Auburn Street. The car park provides approximately 50 pay and display car parking spaces, with a bank of trees lining the Minshull Street boundary. The southern section of the site is formed by public highway and includes isolated pedestrian islands at the junction of Aytoun Street and Whitworth Street. The present highway arrangement is somewhat convoluted and provides a difficult route for pedestrians to navigate.

3.8 The lack of activity and use of the site and the detrimental effect it has on townscape both in terms of the appearance of the buildings in their own right and the harmful effect it has on the setting of the adjacent buildings creates a negative impression.

3.9 In terms of the wider area, there is a diverse mix of uses within walking distance of the site.

3.10 To the east is located the Piccadilly Place development; a mixed-use development incorporating Grade A office space, apartments, cafés and a Hilton Double Tree Hotel, set around a pedestrian linkage to Piccadilly Station.

3.11 The Malmaison Hotel at the Joshua Hoyle Building is situated to the east of the Site, whilst to the north the Crown Courts at Minshull Street are situated on the opposite side of Minshull Street. The Crown Court building is Grade II* Listed and the Joshua Hoyle Building is Grade II Listed).

3.12 The Grade II* Listed London Road Fire Police Station is located to the south east of the site. The Fire Station is an important landmark in this area of the city and widely considered to be one of Manchester's finest buildings. It has been largely been vacant since 1986 and its condition has deteriorated over that period. It has been on English

Heritage's Buildings at Risk Register since 1998. Its redevelopment into a hotel/leisure destination is a critical component to the ongoing regeneration of the Piccadilly area. It is highlighted as a key component of the wider Mayfield Regeneration Framework and its regeneration will act as a significant catalyst to the wider regeneration of the area including the Aytoun Street Campus.

3.13 Educational facilities including the Shena Simon Sixth Form College on the western side of Chorlton Street within a Grade II Listed Building. Named after Shena Simon, a politician and educational reformer, the College caters for 16-19 and offers a full range of A levels and is well known for its excellent performing arts and music courses. It has industry standard media facilities including rehearsals rooms, recording studios and IT suites. The building also has two theatres that host performances that are open to the public. Should the College ever vacate this building, its reuse for a hotel or similar mixed use development incorporating leisure facilities would complement the redevelopment of the Aytoun Street Campus and the London Road Fire Station.

3.14 The University of Manchester occupies the substantial Grade II Listed Sackville Street Building, which, before the merger with the University in 2004, was UMIST's "Main Building". The Great Hall seats around 300 people for theatre-style meetings, lectures and exams. The building is also home to Joule Library (which holds major collections in science, engineering and technology) and the Manchester Astronomical Society as well as numerous offices, laboratories, lecture theatres and exam halls.

3.15 There is an established residential population on this side of the city centre. Apartments and student accommodation are also located to the south east of the site within converted buildings on Whitworth Street/

Fairfield Street. To the north of the site, along Aytoun Street, there are a number of housing developments including Chinese Housing Association accommodation, apartments by Taylor Woodrow (Mercury Building) and The Grand.

3.16 The route of the Rochdale Canal from east to west past the northern boundary of the Site forms part of the Cheshire Ring Canal Route, which is used by both narrow boats (private use) and some light commercial traffic. It connects Castlefield and the Bridgewater Canal to the west with the Rochdale and Ashton Canal Basin to the east. Although this part of the Canal is not designated as a Conservation Area it is clearly an important heritage asset.

3.17 The tow path along the side of the Minto & Turner building is inaccessible to the public, restricting the pedestrian access at the level of the canal. There are two bridges crossing the Canal in the immediate vicinity to the site, at Minshull Street and Chorlton Street; between these bridges is Lock no. 86 (also Listed) and the canal widens, as the canal basin used to fall within the site.

3.18 The buildings fronting the canal reflect the varied smaller uses associated with the waterway such as yards, warehouses and merchants houses. The Village bars and restaurants are located across the Canal along Canal Street to the north/north west of the Site.

3.19 To the north east of the site, the Canal is largely hidden from view by a boundary wall on its Auburn Street frontage as it emerges from the Aytoun Street bridge. Concealing the Canal environment in this way is a product of a time when the Canals were not viewed as a city centre amenity and an enhancing townscape feature, but rather as an unattractive commercial necessity.

An aerial photograph of a city center, likely London's Covent Garden area, with buildings color-coded according to their primary function. The legend at the bottom right defines the colors: Office (light red), Civic / Service (dark red), Hotel (yellow), Transport (green), Leisure (teal), Residential (blue), Vacant (grey), and Education (purple). Labeled buildings include: Solomon House (Office), Asabus Court (Office), Crown Courts (Civic / Service), Albany Crown Tower (Vacant), Focadilly Place (Hotel), Gateway House (Office), Chorlton Street Bus Terminal (Transport), Church Lane (Leisure), Vauxhall House (Office), MML Tower (Vacant), Market Square (Vacant), The Hub (Residential), Fire Station (Vacant), Spill House (Residential), Eynard House (Residential), Forest Hall (Residential), Backville Gardens (Leisure), Regency House (Office), and Backville Street Building (Education). A north arrow is located in the bottom right corner.

Site Analysis

Figure 3.3: Surrounding Buildings



Whitworth Street



Aytoun Street



Minshull Street

Figure 3.4: Surrounding Buildings



Chorlton Street



Canal Street

Site Analysis

3.20 In addition to the regeneration activity that has already taken place in and around the site, recently approved development schemes include:

The Former Employment Exchange, Aytoun Street: Located in close proximity to the north eastern corner of the site, the former employment exchange building remained vacant for at least 18 years and had fallen into a state of disrepair. It has recently been demolished following the grant of planning permission for the construction of 306 bedroom, 4-star hotel with a ground floor restaurant. The development includes improvements to the public realm, highways and the Rochdale Canal. The hotel would operate as a Holiday Inn with the ground floor restaurant occupied by an independent operator. The consented development also includes improvements to the public realm and surrounding highway including the addition of a new layby immediately to the front of the hotel entrance on Aytoun Street. In order to create the layby the proposals include the widening of the existing pavement along Aytoun Street adjacent to the proposed building frontage.

Motel One, London Road – Located to the east of the site, immediately opposite Piccadilly Station with frontages to London Road and Whitworth Street, construction has commenced on the site for a 330-bed hotel to be operated by Motel One. The 14-storey hotel, the façade of which will comprise large floor-to-ceiling glazed panels for each bedroom, is scheduled to open summer 2015.

Yotel, 12-16 Piccadilly – Planning permission has been granted for erection of a twenty storey building and conversion of adjacent Grade II Listed Building to create 258 bedroom hotel, above ground floor bar and ancillary accommodation.

Gateway House, Piccadilly South – has permission for refurbishment of the building, which will deliver a 182 suite apart hotel above ground floor commercial space, along with retention of existing parking and retail space within the basement and erection of new eight storey office building connected to Gateway House by bridge link and erection of new three storey gym following demolition of an existing single storey building on Ducie Street (it is however noted that the future of the redevelopment of Gateway House may change due to the proposals set out in the HS2 Manchester Piccadilly framework which outlines the site as the location of a high speed rail terminal.

3.21 The above developments, along with the proposals for the reuse of the London Road Fire Station, highlight the popularity of the area for new hotels, and its clear emergence as something of a hospitality hub for the City.

Site Analysis

Site Connections and Accessibility

3.22 The existing MMU campus within the SRF area has been used by a single occupier since the redevelopment of the site in the 1960's. This has created a solid mass of buildings with very little pedestrian permeability for both staff/students of the campus and the general public.

3.23 A key objective for the redevelopment is to create greater accessibility with the creation of several new routes and spaces. Figure 3.5 below shows open spaces and public realm across the city centre. Redevelopment of the Aytoun Street Campus will open up the site, reconnecting it with the surrounding streetscape.

3.24 Both north-south and east-west connections will reintroduce pedestrian movement into and through the site. These are indicated (in blue) on Figure 3.6 below. These routes build on historical routes along

Little David Street and Fish Pond Lane (refer to the historical maps below) and also the historical line of the in-filled canal spur. The existing vehicular route along Minshull Street which separates the Euro Car Park site from the MMU campus site would also offer the potential for pedestrianisation in order to create a stronger link between these two redevelopment sites.

3.25 With the exception of Sackville Gardens to the west of the site, the immediate site context is not well served in terms of usable public open space. Public space is restricted to the canal towpath (that which is open and accessible) and the key pedestrian route (which is vehicular restricted) along Canal Street. A new central courtyard has been created as part of the adjacent Piccadilly Place development, but this functions more as a light well than a usable public space.

3.26 Within the SRF Site there is a great opportunity to create new, high quality areas of open public realm. These have been indicated in yellow on Figure 3.6 below and form key spaces along the proposed pedestrian routes into and through the site. The nature and use of these spaces is to be determined in more detail but the intention would be that these spaces are open, landscaped appropriately and usable throughout the day for a variety of outdoor uses.

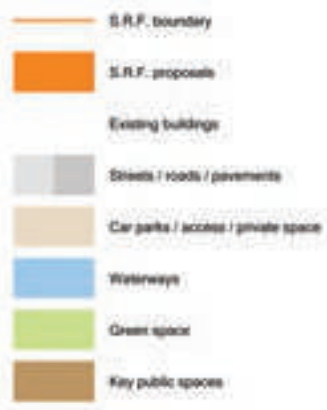
3.27 Two key points are also identified to the east of the SRF area along Aytoun Street where pedestrian crossing points are currently difficult or restricted.

3.28 The route through the Piccadilly Place development is an important and busy link to and from Piccadilly Station but currently at the junction with Aytoun Street this is a confusing and convoluted pedestrian crossing point. There is also no clear direction to connect to and from Canal Street and the surrounding

Figure 3.5: Site Analysis:
Public Realm and Open Space Analysis

areas beyond. As described in more detail below, there are proposals to reduce the width of Aytoun Street which will in turn reduce the traffic flow along this street. As part of this package it is intended that a new simplified crossing facility could be provided where the pedestrian is given priority over the vehicle. Adjacent to this crossing point and the canal frontage, an area of pedestrianisation and public realm improvement has been identified in order to improve the canal frontage in this location and also the setting of the adjacent Grade II* Listed Crown Court.

3.29 In addition a second pedestrian crossing point has been identified for possible improvement – at the south east corner of the SRF area. Given the road reduction which could be possible along Aytoun Street, this area would similarly be simplified and the pedestrian given priority. This crossing point would help improve links between the southern end of the SRF area and the adjacent Grade II* Listed Fire Station, the University's North Campus development area and Piccadilly Station.



Site Analysis

Building Line & Active Frontages

3.30 The two existing Listed Buildings within Site and the proposed new pedestrian connections into and through the site begin to create a defined building area for redevelopment. The diagram below notes (in purple) an indicative building line along the site perimeter which is not already defined by an existing listed building or identified public space opportunity.

3.31 Where possible, an element of active ground floor frontages to all key pedestrian routes and along the site perimeter are considered to be beneficial to the successful redevelopment of the Site.

3.32 The canal frontage is also of great importance. Currently, the stretch of the Rochdale Canal across from Canal Street is used as a private car park and is not easily accessible to the public. There are no active frontages or uses which populate this area and the canal-side environment and frontage is of poor quality. The creation of a new public space along the Canal and the upgrade and reconnection of the canal towpath into the surrounding urban context is therefore a key design requirement.

3.33 Figure 3.7 below indicates the sun path. When more detailed proposals are developed the impact of proposed building heights within the SRF area will be analysed. The location of areas identified as opportunities for new public realm have been informed by the movement of the sun around the site – i.e. key public spaces are proposed to be positioned to the south and west aspects of the site in order to enjoy midday, afternoon and evening sunshine. The location of the two listed buildings within the SRF site are also of benefit in terms of allowing for afternoon and evening sunshine to penetrate into the central areas of the site.

Landscape Strategy

3.34 As discussed above, a number of new key routes and public spaces have been identified within the SRF area.

These are indicated on the diagram below. The location of these has informed a notional building line which begins to sub divide the site into a number of redevelopment zones, which will be described in more detail in Section 4. The landscape strategy for the SRF is shown Figure 3.8 below and is proposed as follows:

1) The Rochdale Canal Frontage – The frontage to the Rochdale canal that the SRF site enjoys is to be upgraded and brought back into use as a vibrant, busy “street” frontage, similar to Canal Street opposite. This will be a fully pedestrianised space consisting of high quality hard landscaping. Pedestrian access will be possible along this canal stretch from Aytoun Street to Chorlton Street, with a level change to the south of Minshull Street (due to the reduction in levels down to towpath level). This will provide a key aspect where the new uses proposed within the site will front onto. It will also enhance the setting of the Grade II* Listed Crown Court, the Listed elements of the Rochdale Canal and the Grade II Listed Minto & Turner building.

2) Little David Street – Little David Street is currently a private, gated delivery route between Minto & Turner and Minshull House. This narrow street is a “hidden gem” within the site, with a cobbled surface defined either side by the two Listed industrial buildings. It is simple, utilitarian and of a historic character. It offers the potential for an interesting, high quality new pedestrian street into the site; evoking the Victorian character of the time when it was constructed. It is the intention that with the redevelopment of the Listed buildings within the site, that this area becomes a hive of activity but which retains its charming character.

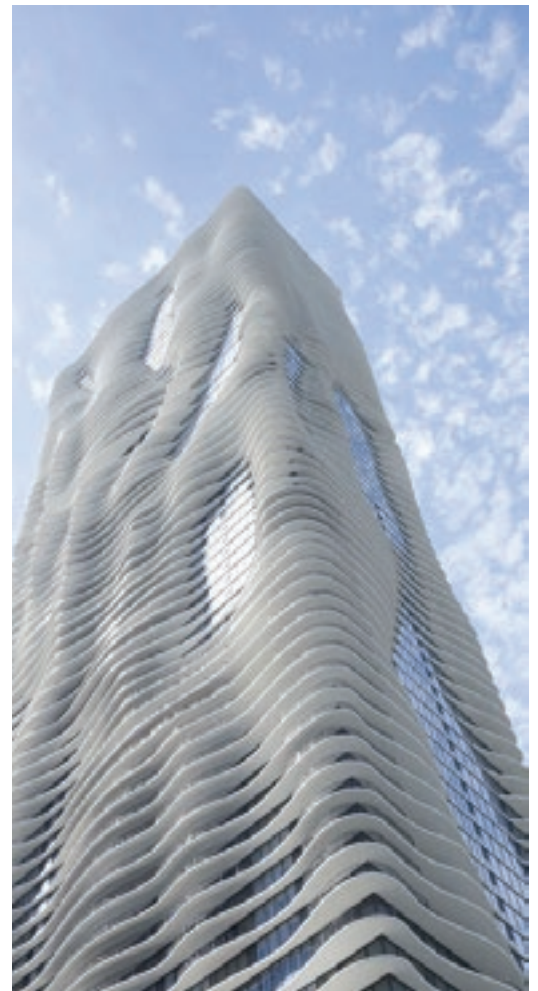
3) Minshull Square – Adjacent to Minshull House along Chorlton Street, an open space exists which is currently used for car parking. It is intended that this areas becomes pedestrianised to create a new public open space to enhance the frontage of the Listed Minshull House. It is envisaged that a number of new openings would need to be formed within the façade of Minshull House to create an open active frontage onto this space. This will complement the open areas outside the adjacent Listed Shena Simon College providing a much needed public space along Chorlton Street. It is also considered that given the large area proposed on the diagram below, that a suitably designed pavilion building would be appropriate within this space – further adding to the active uses at ground floor level.

4) Little David Square – At the centre of the SRF site area and running perpendicular to the Rochdale canal, is “Little David Square” a new public space proposed along the line of the former canal spur. This space will enjoy building frontage on three sides with the canal forming the fourth side of the space. Whilst performing a spatial separation between the existing and new buildings proposed, this space will act as the focal point of the redevelopment. It is anticipated that within the landscape design, reference will be made to the former route of the canal spur, which once existed here.

5) Semi Private / Resident’s Space – As residential use will no doubt form a key part of the redevelopment of the site, a key area has been identified at the south of the SRF area where a resident’s courtyard is proposed. It is expected that this will be semi-private connected to the surrounding new public spaces and routes but separated for security and privacy reasons. The exact size and shape of this space is to be defined, but the inclusion of this space is important to the overall landscape strategy.

6) Pedestrianised Minshull Street – As part of the possible improvements to the Highway, the stretch of Minshull Street identified in figure 3.7 is considered to be suitable for full pedestrianisation with vehicular access restricted to resident access, deliveries and servicing. The pedestrianisation of this stretch of road will help to link the MMU and Euro car parks site as one. Access along the Canal frontage will also be improved.

3.35 Aytoun Street and Chorlton Street also form a key part of the proposed landscape strategy – it is intended that these roads could be reduced in width as part of possible future highway works and this will allow an enhanced pedestrian environment to be created, to include the creation of tree-lined boulevards to both streets.



Site Analysis

Figure 3.7: Site Analysis:
Building Line & Active Frontages

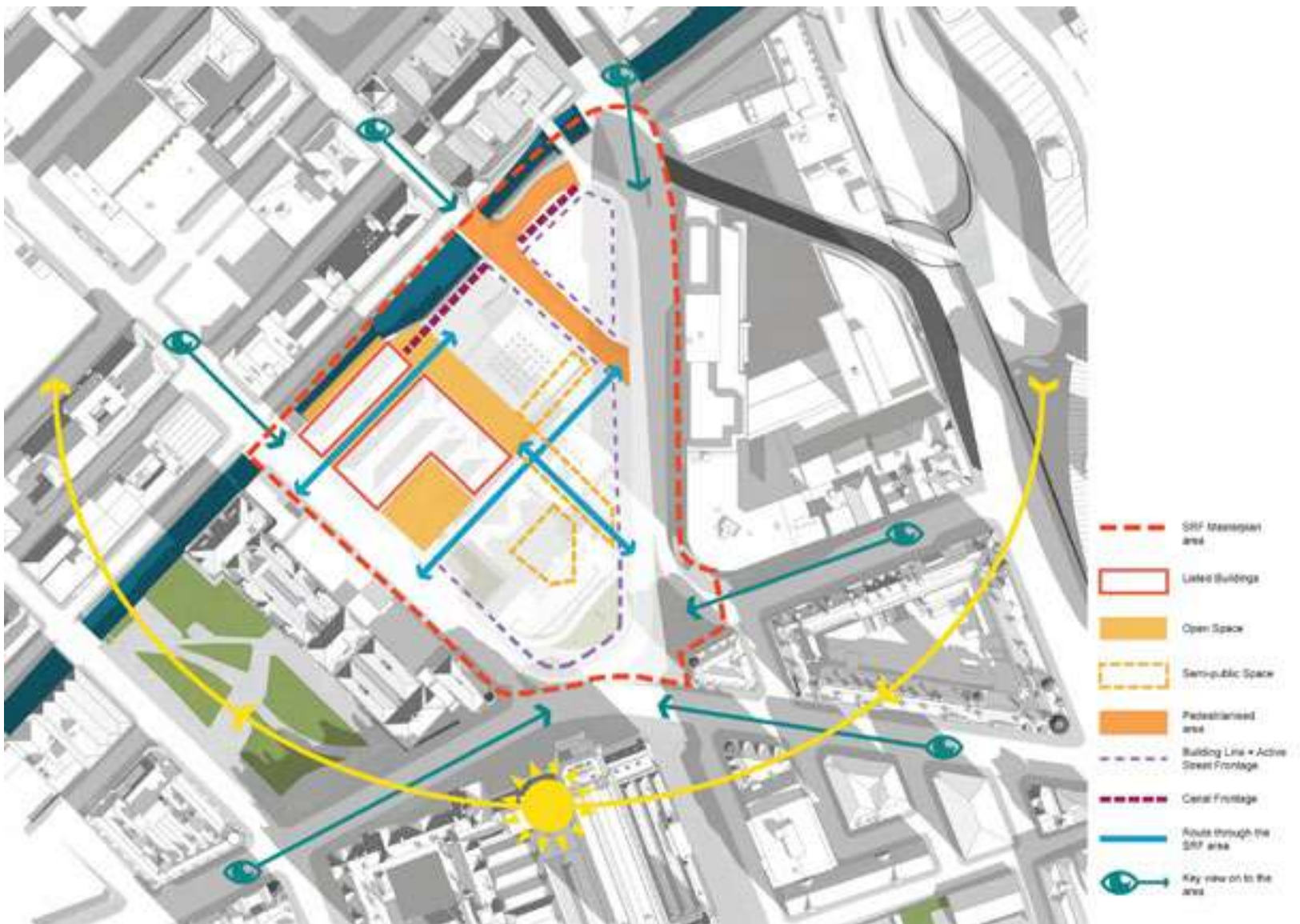
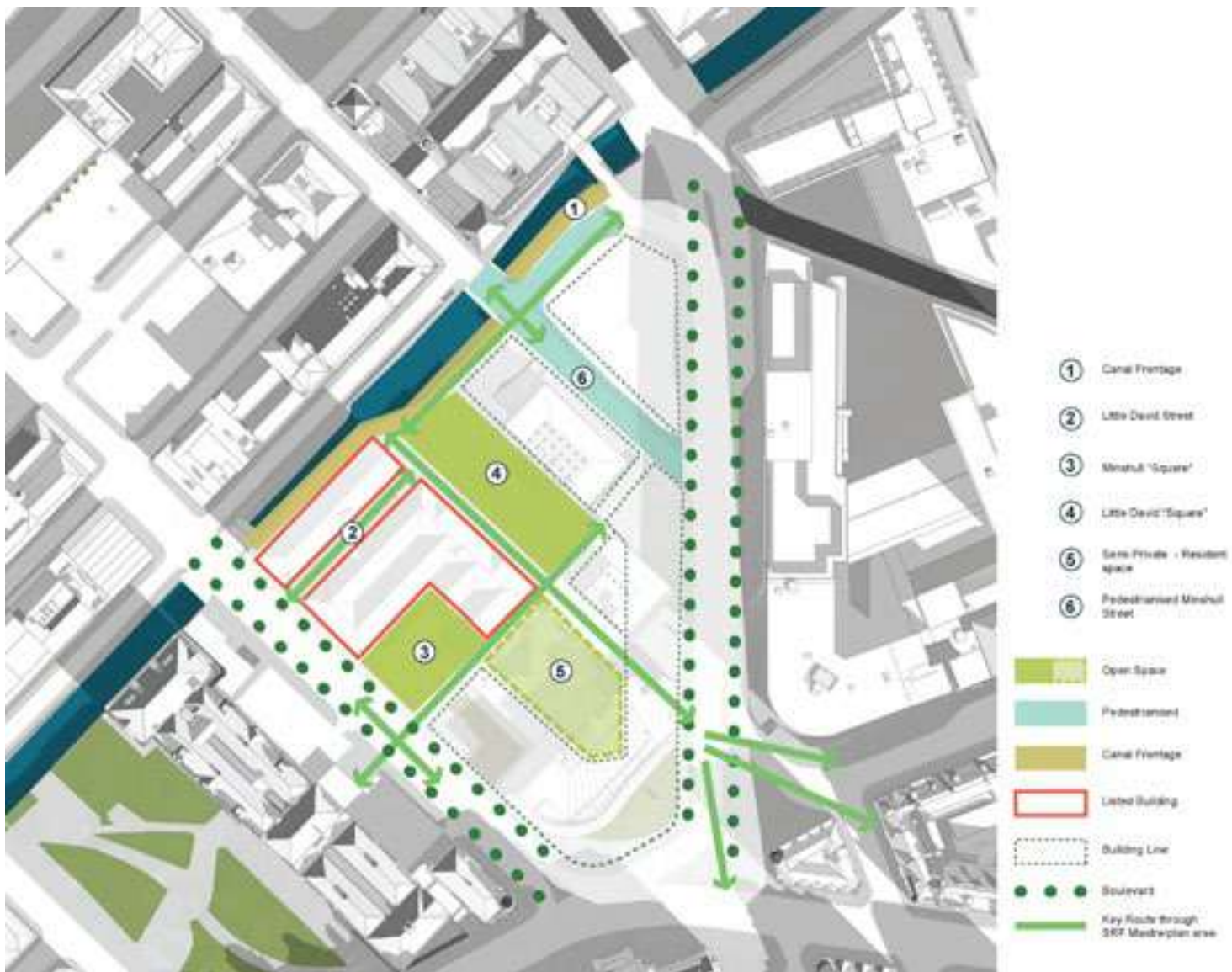


Figure 3.8: Site Analysis:
Landscape Strategy



Site Analysis

Heritage + Townscape Context

Historic mapping and images –
SRF site highlighted in blue



1848

By the mid- 19th Century the site had been developed for industrial use; the site is known as Banktop/ Bridgewater Trust Coal Wharf and contains a canal basin through the centre off of the Rochdale Canal. The Minto Turner building is illustrated but Minshull House has not yet been constructed (footprint of an earlier building is illustrated). St George's Foundry is shown to the east of the site and houses are present on the bridge over the canal.



1891

By the end of the 19th Century Minshull house has been constructed. Another notable change is the clearance of the site to the south-west side of Chorlton Street.



1908

This map from the beginning of the 20th Century provides a snap-shot of the wider context to the site; the site is still in industrial use, with a further wharf added to the north. The Courts building is labelled to the north of the site and the industrial use to the area to the east of the site can be seen. To the west and south of the site are new educational buildings. The tramway infrastructure is also shown for the first time.



1922

By the mid-1920s the site is now in part ownership by Manchester Corporation. A timber yard is shown to the south side of the site. Industrial uses still continue to the area west of the site, although the area adjacent to Aytoun Street has been cleared – presumably to accommodate the new road alignment. The educational uses to the south and west of the site have been extended.



1944

This photo illustrates the Minto and Turner Building and Minshull House in the mid-1940s. The large arched entrance to Minshull House can be appreciated as can the sense of enclosure to the street frontage. The tower of the Court building can be seen in the distance.

Site Analysis



1944

This photo from the mid-1940s illustrates the former canal basin that fronted the west elevations of the Minto & Turner Building and Minshull House before it was infilled.



1944

This photo from the mid-1940s provides a view across the site: the south elevation of Minshull House is seen to the left. The canal basin and open nature of the site, which is in contrast to the 5+ storey buildings that surround the site, can be appreciated.



1951

By the 1950s not much has changed within the site. Minshull House is labelled as a Warehouse and is L-shaped in plan. Further clearance has taken place to the site adjacent to Aytoun Street, on the west.



1955

This photo from the mid-1950s illustrates the west and north elevations of the Minto & Turner building from Canal Street. The former dwelling building that was on the bridge over the canal can also be seen.

Site Analysis



1969

This map from the end of the 1960s illustrates the radical transformation that occurred on the site from 1962 onwards. The canal basin has been infilled and the site has been redeveloped for educational use. The alignment and footprint of the new buildings do not relate to the form of the site and appear incongruous. Minshull House is still labelled as being in use as a Warehouse.



1970

This photo from the early 1970s shows that the west elevation of Minshull House was rendered at some point – this is evident today by the damage that has been done to the brickwork in removing it.

Heritage Assets

3.36 As described above, the SRF Site contains two Grade II Listed Buildings: Minshull House and the Minto & Turner Building, which front Chorlton Street and are separated by a single track cobbled street called Little David Street.

3.37 Although the site is not within a Conservation Area, the boundary of the Whitworth Street Conservation Area is adjacent to the site. Listed Buildings within the immediate environs of the Site are:

Grade II* London Road Fire Station

Grade II* Courts

Grade II Shena Simon VI Form College

Grade II Sackville Street Building (UMIST)

Grade II Rochdale Canal boundary walls and lock structure (x3 listings)

Grade II Churchill Public House

Grade II No.39 Chorlton Street

3.38 The designated Heritage Assets within the Site and in close proximity are detailed in Figure 3.9.

3.39 The Whitworth Street Conservation Area was designated in September 1974, and was bounded by Oxford Street, Portland Street, Abingdon Street, Bloom Street, Chorlton Street, Cobourg Street and the Piccadilly to Oxford Road railway viaduct. It was extended in June 1985 to include an area bounded by Whitworth Street, London Road and the above viaduct.

3.40 The historic street layout and the relationship between built form and open space defines the overall framework of an area. Within this framework, the fine grain of the townscape, including sizes of plots and building lines, are important in establishing the pattern and density of development.

3.41 The grain and shape of the layout of the area surrounding the Aytoun Street Site is the result of the continuing development of Manchester's industrial, educational and commercial sector. The prevailing use of the buildings in and around the area of analysis is commercial, educational, leisure, transport and retail use. These features make the area of analysis a dynamic and vital centre within the wider city centre.

3.42 The physical character of the Whitworth Street Conservation Area derives from the fine Victorian and Edwardian buildings erected between 1850 and 1920, which strongly reflect the historical importance of the textile industry in the city. The architecture related to the textile industry remains largely intact, although its association with its original industrial purposes has progressively declined since the cotton slump of the 1920s.

3.43 The area is bisected by the Rochdale Canal, completed in 1801, which gently flows downhill from north-east to south-west through a series of locks. The relationship with the canal, which has contributed to the expansion of commerce, marked an important step in the historical development of the area. Today, the original role of the Canal is superseded; giving prominence to the environmental quality of the water front, which still plays a determinant role on the character of the area.

3.44 The Conservation Area has a very strong legibility with Princess Street and Whitworth Street as the main thoroughfares. The first has a compact appearance resulting from the uniform scale of the buildings, colours, and building type. The latter has a strong vertical emphasis resulting from the combination effect of height, bulk and silhouette of its variegated buildings.

3.45 With regard to open spaces, three categories of routes, based on scale, level of enclosure and function are defined.

3.46 The large redeveloped plots of Piccadilly Place and the convergence of road, rail and tram networks signal a marked change in character and space of the area outside of the Conservation Area boundary and within which the SRF site is placed.

Protection of the Heritage Assets

3.47 Due to the statutory status of the Listed buildings within the Site they are subject, principally, to the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (NPPF), as well as local planning policies. Any proposals to alter the fabric of the buildings will require Listed Building Consent prior to the commencement of any works.

3.48 Minshull House and the Minto & Turner building are Listed not only for their architectural and historic interest but also for their group value. This part of the Site can still be appreciated and understood as a grouping of industrial buildings which is a significant part of the evolution of Manchester's industrial history and a characteristic of this area. The buildings are therefore a significant part of the streetscape along Chorlton Street.

3.49 Due to the former industrial use of the site it has the potential for below ground archaeology which would be assessed as part of detailed plans to redevelop the site.

3.50 Due to the substantial alteration of the interior of Minshull House there is scope for proposing internal reordering and alteration. Further detailed assessment of the significance of the interior (and exterior) of the building will be undertaken before any proposals for internal alteration are developed in order to ensure significant historic fabric and or fixtures and fittings are not removed. Removal of significant historic fabric from a Listed Building could result in an adverse impact on the special interest and significance which if

Site Analysis

deemed as being of “substantial harm” (under the NPPF) poses a planning risk. In the case of Minshull House, the original cast and wrought iron frame should be retained.

3.51 The southern annexe of Minshull House is part of the Listed building and proposals for redevelopment of the building should not be isolated to the main body of the building.

3.52 The Minto & Turner Building survives largely intact and is therefore of rarity value. Whilst there is scope for internal reordering, fixtures and fittings such as the principal staircase with decorative iron work, cast iron columns, timber floors, teagles, loading bay doors and windows will seek to be retained. As stated above, detailed assessment of the significance of the interior (and exterior) of the building will be undertaken before any proposals for internal alteration are developed in order to ensure significant historic fabric and or fixtures and fittings are not removed.

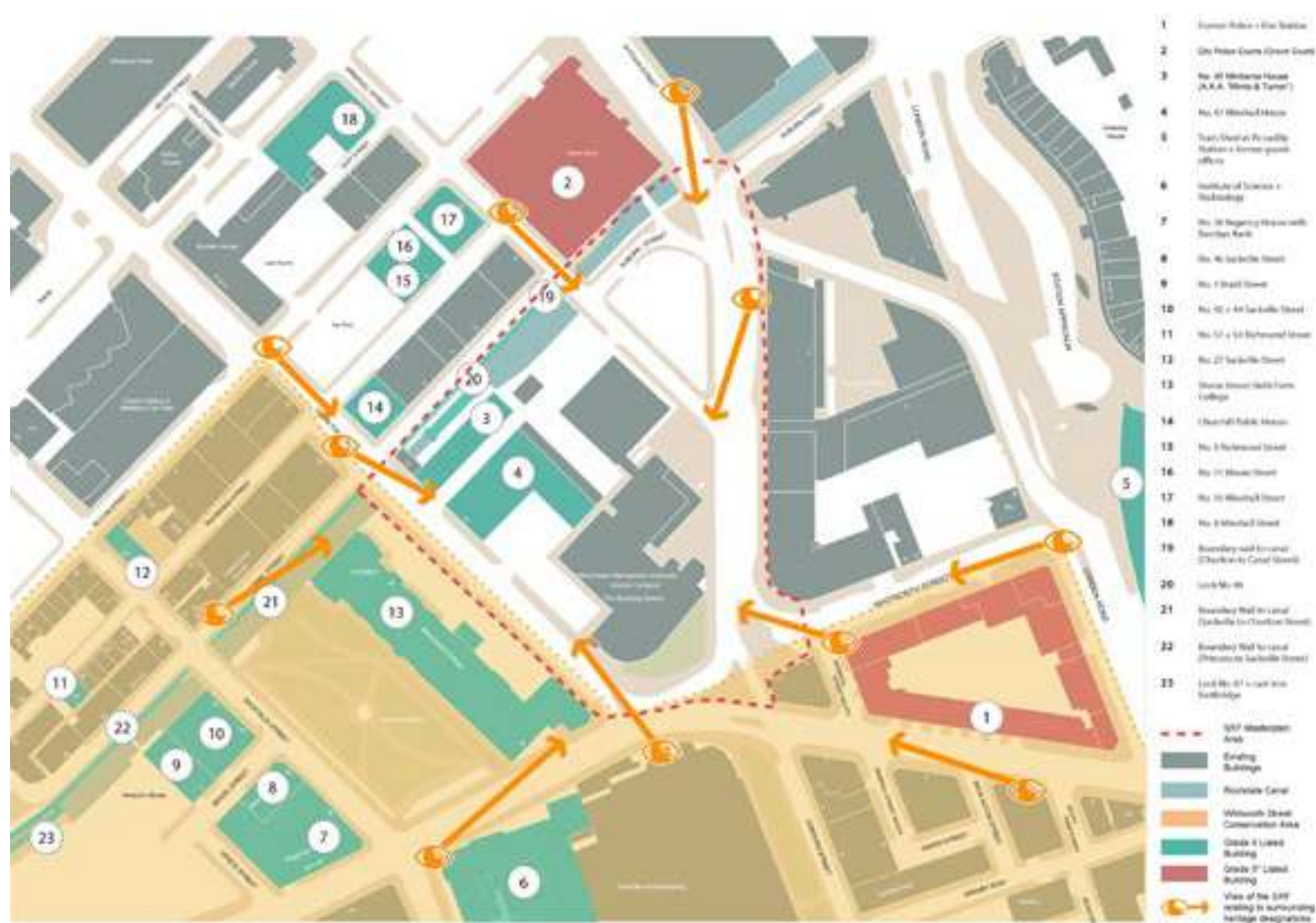
3.53 Proposals for the redevelopment of Minshull House and the Minto & Turner Building will resist significant alteration and extension of the external expression of the building as this may result in adverse impacts on the heritage significance of buildings which would not be acceptable in heritage or planning terms, unless comprehensively justified and balanced by substantial and significant public benefits, in accordance with the NPPF.

3.54 Due to the potential for below ground archaeology, the redevelopment of the site will need to be informed by an Archaeological Desk Based Assessment (DBA).

3.55 In addition, redevelopment of buildings within the site could affect the setting of the Grade II Listed Minshull House and Minto & Turner Building and the character and appearance of the adjacent Whitworth

Street Conservation Area. Justification will be provided as part of any planning application submission to demonstrate a thorough understanding of the significance of the Listed buildings affected, including the significance of their settings, which will then inform an impact assessment. English Heritage guidance is used to test a proposal’s impact on the setting of a Listed building and if it is demonstrated that a proposal will result in an adverse impact on the setting thorough and convincing justification will need to be provided which states why the proposed development is necessary and that the harm to the significance of the Listed building is outweighed by substantial public benefits.

Figure 3.9: Heritage Assets



Site Analysis

Contribution made to the character of the area by greenery and green space

3.56 The area is characterised by a densely built urban environment and thus little space is left for trees and green areas. Greenery (e.g. trees) and green space provide a contrast to the solid built forms (e.g. to the south of Piccadilly train station, on the north-east corner of Fairfield Street and London Road, or the junction of Whitworth Street, Fairfield Road and Aytoun Street) or assist in landscaping areas of hard-standing (e.g. the ECP car park).

3.57 Sackville Gardens, to the west of the area of Site provides a notable area of green space and amenity value, although within the wider area this is an uncharacteristic feature. The architectural and historic qualities of the buildings and prevalent/ traditional building materials

3.58 In the Whitworth Street Conservation Area there are seventy-three buildings of which more than half are Listed (Grade II And Grade II*). The majority of the Listed buildings are commercial warehouses built between the 1860s and 1910s. They constitute the predominant building type in the area and are intimately connected with Manchester's past position as the centre of manufacture and of trade of cotton goods. They are important individually, for the typology and/or style they display, but they also contribute all together to the wider cityscape.

3.59 The rest of the Listed buildings are represented mainly by educational buildings, the Shena Simon College and the Institute of Science and Technology, and by office buildings, the former Refuge Assurance Offices and the St James's buildings.

3.60 Along the principal thoroughfares the façades are ornate with a particular richness of detail, while the rear elevations are, in most cases, left without any decoration and are purely utilitarian. An exception to this is the

four impressive facades in terracotta, faience and Accrington brick in the London Road Fire Station.

3.61 The predominant materials seen in the Conservation Area are red brick, ashlar sandstone and brown, buff, yellow terracotta. The elevations are generally decorated with terracotta friezes and modillioned cornices. Different forms of embellishments include geometric panels and wreaths in carved terracotta or stone.

3.62 Generally, slate is used to roof the buildings, though many are too high, or their roofs are too gently pitched, for this to be seen from ground level. However, turrets, cupolas and elaborated shaped gables can be seen from a distance, contributing to the skyline. As such any 'tall buildings' proposed for the site will need to consider their impact on the roofscape of Heritage Assets.

3.63 Windows, like those of most Manchester buildings of this period, are predominantly the vertical sliding-sash type. They occur singly, but are more often seen in pairs, threes, or occasionally in groups of four. They are often surmounted by curved wrought-iron railings or moulded architraves with triple keystones.

Entrances to buildings

are marked by visible and ornate doorways in chamfered corners or by round headed central archways.

3.64 Within the area outside of the Conservation Area, the architectural and historic qualities of the buildings are not prevalent, although through the use of brick and stone dressings the buildings within the site can be read and understood as being historic.

Form, setting and character of the public realm

3.65 The roads were originally paved with

stone setts. These have either been replaced by or covered with tarmac, but in some minor streets the setts are still exposed. Manchester was famed for the quality of its setts and the care with which they were laid. Most footpaths have been repaved in tarmac and few kerbs are original; most were of granite, subsequently replaced with concrete, but a few, particularly on secondary back streets, may be seen in their original cast-iron form, worn out by the passage of time and cart wheels.

3.66 Street lighting was originally provided by gas lamps, which would have been installed at the time the area was first developed. None of the original cast-iron lamp standards remain, and all present day street lighting is provided by a range of electrical fittings on steel or concrete poles.

3.67 The historic street layouts have been altered to accommodate modern traffic needs and the form of the public realm within the area of analysis in particular has been dictated by the prominence given to the roadways and tramlines; associated safety rails and road signs therefore clutter the public realm in this area.

Skyline, vistas and views

3.68 The commercial warehouses are the distinctive element in the Conservation Area streetscape. The great height of the warehouses which can be appreciated along Princess Street and Whitworth Street, give the area its most obvious physical character of a canyon-like atmosphere. Their monumental scale and sometime exuberant architectural style dominate the skyline. The sense of majesty and scale is not achieved by the use of the classical orders but rather by height and massing.

3.69 The skyline is characterised by outstanding landmarks such as the lantern of the Shena Simon's tower on the corner

of Whitworth Street and Chorlton Street, the elaborated slender Baroque spire of Lancaster House, the tall square clock-tower pilastered and banded of the Palace Hotel (former Refuge Assurance Offices), the Hose Tower of London Road Fire Station and the chimney of the former electricity power station in Winsor Street.

3.70 Elaborate gables, turrets, cupolas, tall chimneys, domed roofs and windows as viewed from Piccadilly contribute to the dense and rich appearance of the Conservation Area.

3.71 The Conservation Area being dense and compact prevents any significant views of vistas from afar. The vistas of the Conservation Area, approached from a distance along Princess Street from the north and the south clearly show the dense and compact urban grain of the area. The view of the Conservation Area when approached from the west is marked by the outstanding commercial warehouses from the Edwardian era. The imposing row of these high buildings almost blocks the sun and gives a canyon-like appearance. The solidity and the architectural details displayed by the buildings convey prosperity and confidence to the area.

3.72 Of greatest importance within the area of analysis are the views of the former Fire Station building looking north and south along London Road, east and west along Fairfield Street and east and west along Whitworth Street (east). The sheer scale and prominence of the Fire Station building within its island site ensure that it commands the views identified. Modern development to the north (Piccadilly Place) and to the east (Piccadilly station tower) act as backdrops to the building allowing the elaborate architectural forms of the building to be read.

3.73 In addition to the views highlighted on the Figure 3.8 above, English Heritage have also

confirmed that the following viewpoints are also important in heritage terms and should be considered as the design of the proposals is developed further:

The junction of Wyre Street and Fairfield Street

Whitworth Street, between the junctions with Oxford Road and Atwood Street

Junction of Minshull Street and Portland Street

The junction of Aytoun Street and Chatham Street

Transport and Accessibility

3.74 The site is located in a highly networked location positioned within Manchester city centre. with accessibility by bus, Metro and rail to all commuting destinations in the City Region, Manchester Airport, the regional centres of the Midlands and North, and London, from a choice of interchanges within 10 minutes' walk or 5 minutes free bus shuttle.

3.75 The site is well positioned to take advantage of the exceptional public transport connectivity and its regeneration for a mix of uses would promote highly sustainable patterns of transport. There is significant potential for the majority of trips to and from the site to be via non-car modes providing access to all people by all modes of travel. The proximity to multiple public transport nodes; Piccadilly Rail and Metrolink Station, Chorlton Street Coach Station and Parker Street Bus/Metrolink hub mean that the site has an extensive choice of accessible transport options (Figure 3.9 below).

3.76 Improvements to the public realm will also help encourage sustainable transport modes such as cycling and walking. The site redevelopment would encourage linked trips by foot between the site and the wide array of cultural, residential, research, shopping and meeting places and commerce in the city centre, again reducing reliance on the car,

polluting emissions and congestion, and saving energy, cost and time.

3.77 Vehicular access, although viable and achievable, ideally should be focused on disabled access and servicing, rather than general traffic movements. This reflects the wider city centre transport strategy produced in 2010.

Pedestrian Connections

3.78 The site is located in the Piccadilly Gateway area. It benefits from a significant amount of footfall. At the north eastern end, it connects Piccadilly Station to Piccadilly Gardens and the commercial core of the city centre (along Aytoun Street). It also connects Piccadilly Station to the Oxford Road Corridor, including Oxford Road Station and the university campuses (along Whitworth Street). However, there is also currently a conflict between pedestrian routes in and around the site and busy vehicular routes including Aytoun Street (which in some sections comprises a four lane highway), Auburn Street, Piccadilly and London Road.

3.79 There are established footways around the site as is common in mature city environments. The footway widths and quality of the public realm is reasonable; an improvement scheme in 2008 introduced an expanded public realm area and street trees to the south east of the site.

3.80 Although not essential to deliver the core principles of the Aytoun Street development, there is significant opportunity to enhance and expand footway widths and improve the quality of the public realm through improved materials, street furniture and landscaping creating less of a focus on the movement of vehicular transport.

3.81 A number of pedestrian crossing points could also be improved – this includes the crossing from Piccadilly, through Piccadilly

Site Analysis

Place and along Aytoun Street toward Piccadilly Gardens. Canal Street to the north of the site is now partly pedestrianised and attracts a large number of pedestrian movements within the general vicinity. It should however be noted that the redevelopment of the Site could be implemented without these works taking place.

Highway Access

3.82 Aytoun Street is currently a wide one-way street guiding vehicular movement in a northbound direction running parallel to the proposed Site. North of its junction with Auburn Street, the two western lanes (adjacent to the Courts) have been converted to tram-only tracks with a kerbed median between the general carriageway and the track. The two (northbound) lanes are open to general traffic and buses, and carry high volumes of traffic routing to Portland Street, Piccadilly and the Northern Quarter.

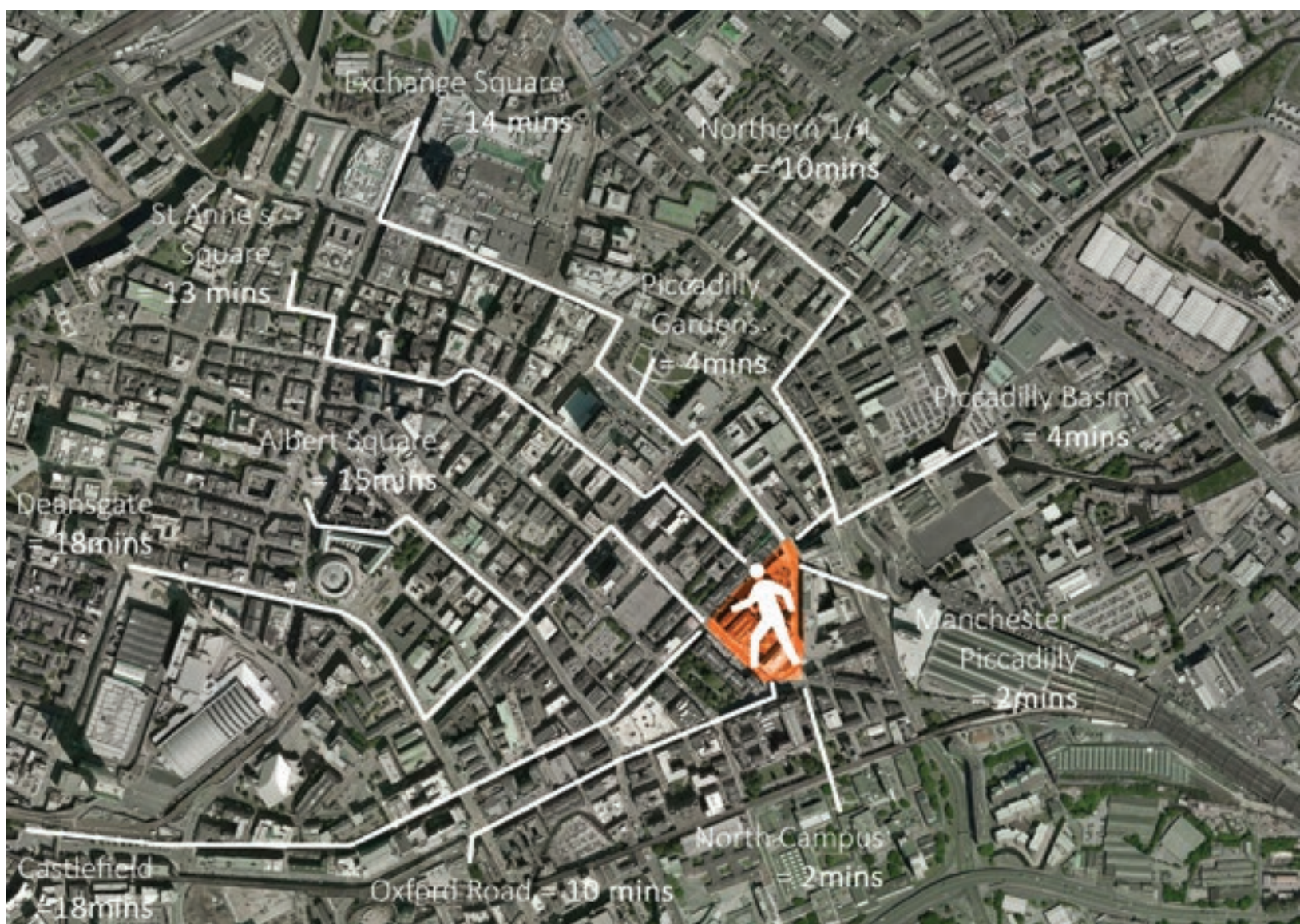
3.83 Chorlton Street is one-way in a southbound direction from its junction with Bloom Street. The majority of traffic using this route is connected with local car parks, notably the Chorlton Street multi-storey car park and through traffic from the central business district. Chorlton Street is signalised at its southern end with Fairfield Street/

Whitworth Street and controls the traffic from the west routing on to Aytoun Street. The signals at Aytoun Street/Fairfield Street control the right turn for buses and incorporates a pedestrian crossing.

3.84 Minshull Street is a relatively narrow two-way route and provides access to two sets of surface car parks and secure access to the Crown Courts.

3.85 As a result of a banned right turn at the Fairfield Street/London Road signal junction, all drop-off traffic for Piccadilly Station from the south must complete the short loop using Minshull Street South as a one way connector (southbound) back onto Fairfield Street. This allows drop-off traffic to continue back through the London Road junction in an easterly direction.

Figure 3.10: Proximity to Transport Connections and Hubs



Site Analysis

Rail Transport

3.86 Manchester Piccadilly Station is located within a 2 minute walk of the Site. It is a world-class transport interchange, which provides high quality waiting, shopping and business facilities for rail passengers. Piccadilly Station is the main rail hub for the North West, with frequent and rapid services throughout the day and evening (with a service approximately every 20 minutes until 2015) between Manchester and London with average journey times of only 2 hours 10 minutes.

3.87 Manchester Oxford Road Station is within a 10 minute walk of the Site. It provides direct and frequent service throughout the day and into the evening to Manchester Airport, Leeds, Liverpool, Newcastle and Nottingham. It is also an important local commuter station carrying a number of services, particularly from South Manchester. Residential areas such as East Didsbury, Burnage and Mauldeth Road are linked along this railway line.

Bus Connections

3.88 Chorlton Street Coach Station is approximately 200m from the site. The main bus station at Parker Street (Piccadilly Gardens) is under 400m, both provide local or national services to a wide number of destinations.

3.89 Metroshuttle, the free city centre bus, provides a regular and efficient service connecting the major transport hubs of Piccadilly, Victoria and Shudehill Interchange, as well as the major shopping, cultural, heritage and business quarters. Launched in 2002, Metroshuttle carries a total of 1.5 million passengers annually across the City, linking people to employment and leisure opportunities.

3.90 Metroshuttle means local employers can be sure that their staff can get to work easily by public transport. Services often provide

the final stage of a journey to work, which means commuters can enjoy flexible local interchange at no additional cost when they arrive in the City.

3.91 Metroshuttle stops are located immediately adjacent to the site on Aytoun Street. These stops are serviced by the No.2 Metroshuttle, which connects to Castlefield, Spinningfields and Manchester Victoria Rail Station and the No.3 which connects to Portland Street, St Peters Square, Oxford Street, Spinningfields and Salford Central.

Metrolink

3.92 The Site is located within a short walk of Piccadilly Train Station's Metrolink Stop. The Metrolink network consists of six lines which radiate from Manchester city centre and terminate at Altrincham, Ashton-under-Lyne, Bury, Didsbury, Eccles, and Rochdale.

3.93 Tram services generally operate until midnight during the week and 1am at weekends. During peak periods 10 trams run each hour, with 5 per hour in the off peak. With the exception of Bury and Rochdale, each destination connects directly with Piccadilly Station, where national train connections can be made.

3.94 Since 2008, Transport for Greater Manchester have been delivering a £1.5 billion investment programme that will see the Metrolink network triple in size. This next phase will see key stops in the city centre transformed and a new Second City Crossing (2CC) built to enable more tram services to run through the heart of the city centre as the network expands.

Accessibility improvements

3.95 Future public transport improvements in and around Manchester include; the Cross City Bus Corridor, the Northern Hub (linking Piccadilly to Victoria) and HS2. All will serve to enhance the accessibility of both the Site

and the wider Regional Centre. Each is considered below:

Cross City Bus Corridor

3.96 The Cross City Bus Corridor is a £54.5m investment which will significantly improve bus travel into, and across, Manchester city centre. The scheme is expected to be completed as a whole by 2015, but certain sections will be completed before then.

3.97 This investment will, for the first time, make the operation of cross-city services practicable, with bus priority measures along the east-west Portland Street and north-south Princess Street corridors providing the links from Oxford Road in the south with the Middleton Corridor in the north and the A580 to the west. They also complement the proposed Metrolink expansion in terms of the plans for Second City Crossing. Portland Street is the major bus route into the city centre and therefore the provision of bus priority along this corridor will result in significant benefits to buses serving the area. Bus lanes are proposed in both directions on Portland Street and a northbound contra flow bus lane will be introduced on Princess Street between Portland Street and Cross Street. Complementary measures have been included in the package to cater for displaced traffic.

Northern Hub

3.98 The Northern Hub is a Network Rail project that will deliver £530m of targeted investment to transform Northern England's rail network, stimulating economic growth. The proposals are projected to deliver over £4bn worth of wider economic benefits to the region and potentially create up to 30,000 new jobs.

3.99 One of the key projects proposed is the Ordsall Chord, a new viaduct which will connect Manchester's Victoria, Oxford Road and Piccadilly Stations, and Salford Central Station for the first time.

3.100 This investment is intended to help ease a rail bottleneck to the south of Piccadilly and enable faster, more frequent services to run across the North of England, by allowing services to run via Victoria. It will reduce journey times between Manchester Airport and Newcastle, Middlesbrough, Hull and Scarborough, as well as to Leeds and Liverpool. Funding for the Ordsall Chord was confirmed in March 2011 and it is due to be operational by Winter 2016 / 2017.

3.101 The Ordsall Chord will connect Oxford Road Station to Manchester Victoria Station, a major regional interchange, serving destinations to the north and east of Manchester, including direct services to Liverpool (approximately a one hour journey time) and Leeds (approximately 1 hour 30 minutes journey time).

3.102 Manchester city centre is at the heart of the most comprehensive commuter rail network in England outside London and the south east and frequent services operate to a wide range of local destinations delivering over 18,000 passengers to the city centre between 7.30 and 9.30 am each weekday morning.

HS2

3.103 As discussed above, the delivery of a HS2 station alongside Manchester Piccadilly will have a substantial positive impact on driving forward a wider commercial and regeneration plan for Manchester.

3.104 The Government has stated that its initial preference for a city centre station in Manchester is to construct a new HS2 station alongside the existing mainline station at Manchester Piccadilly, which already serves a dense network of routes across northern England and inter-city services to the Midlands, London, Scotland and elsewhere.

3.105 HS2 itself will allow enhanced connections to London and Europe and bring

increased capacity of this train corridor to meet future demand. HS2 will be connected to the Continent through a link to HS1 (High Speed 1) and the Channel Tunnel. This makes direct rail services possible from stations served by high speed trains to key European destinations including Paris, Brussels and Amsterdam. HS2 will build on the success of HS1, which has already transformed travel between the UK and the Continent.

3.106 Journey times will be significantly reduced: Manchester would be 41 minutes from Birmingham and only 1 hour 8 minutes from London, almost halving the current average rail journey times. The proposed Manchester Airport HS2 station would be 32 minutes from Birmingham and 59 minutes from London.

Highway Interventions and Improvements

3.107 As part of the SRF process, AECOM have undertaken a desktop analysis of the local highway network to inform the masterplan process and ascertain whether improvements can be made to the network adjacent to the Site. Key considerations have focused on the opportunity to greatly enhance the public realm and environment for nonvehicular access.

3.108 Broadly the site sits within the long established city centre grid pattern, characterised by historic buildings and relatively narrow streets. This means that a number of the streets around the site are restricted to one-way access for both safety and legibility. Whitworth Street to the south of the site provides a major east west corridor to the southern side of the city centre; its alignment is shadowed by the more recently constructed Inner Relief Route (IRR) as both roads link the major radials to the south. Aytoun Street itself is a wide one-way connector with significant public transport throughput. It also provides a primary link to the Piccadilly Basin and Northern Quarter car parks from the A6 and A34.

Short / Medium Term (0-20 years)

3.109 The Desktop Analysis indicated that in the short to medium term, the following interventions are possible:

Widen footways on all highway surrounding the site; Aytoun Street, Whitworth Street, Auburn Street and Chorlton Street.

Close access to Aytoun Street from Whitworth Street- create larger pedestrianised public realm space.

Reduce Aytoun Street to one lane north bound.

Auburn Street to be allocated for access only to car parking in the Piccadilly Basin and Northern Quarter.

Prioritise cycling and public transport access to Aytoun Street.

3.110 All of the above measures reinforce the City Centre Transport Strategy and the Greater Manchester LTP3 which aims 'to reduce the impact of traffic on city centre streets and increase the scope to public realm works and enhance pedestrian access (paragraph 7 of the Transport Strategy for Manchester city centre). The narrowing of carriageway and the consequent reduction in capacity would help to reduce through traffic. This should lead to traffic redirecting to the Inner Relief Route to access car parks close to the periphery of the city centre. The priority would be for the carriageway to be for access-only, public transport and wider cycle lanes.

Site Analysis

Figure 3.11Short/Medium and Long Term Highway improvements

Long Term (20 years plus)

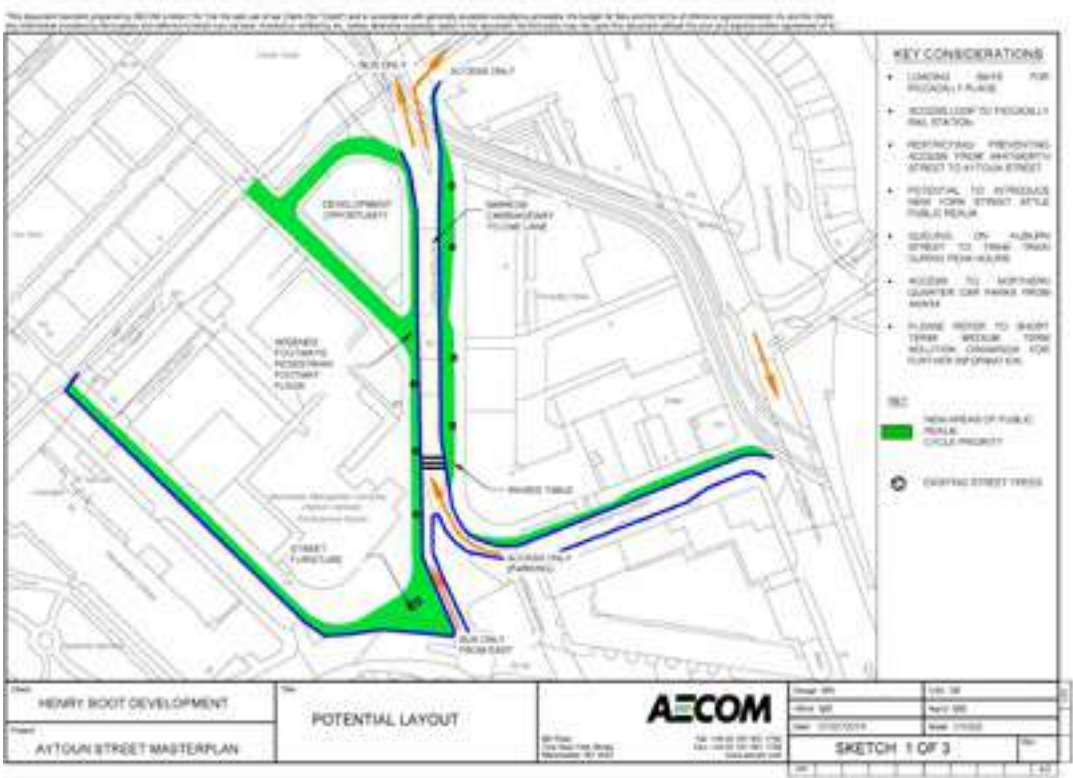
3.111 Development in Manchester city centre is fast moving and dynamic, there are ambitious plans to completely remodel the area around Piccadilly Station with the likely introduction of the HS2 terminal within a 20-30 year horizon. This will introduce a quantum change in land development opportunity, and redevelopment and regeneration is likely to begin well in advance of the projected completion of HS2.

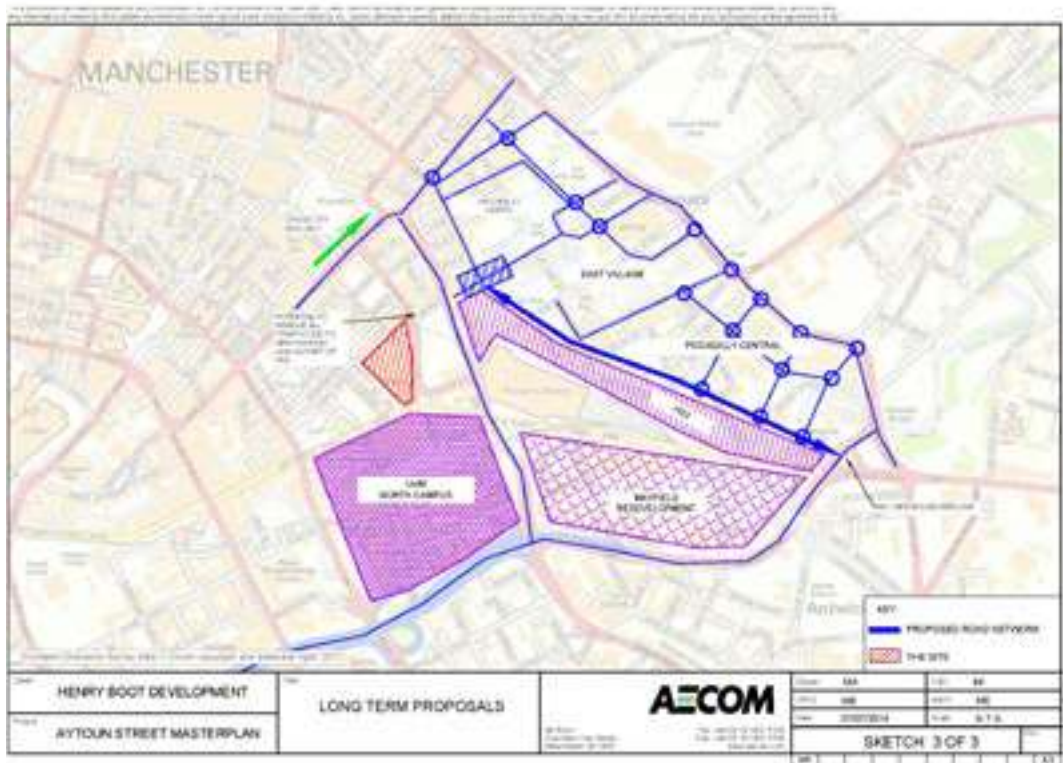
3.112 There are two significant areas bordering the Aytoun Street Site which will probably be developed in the medium to long term independent to the HS2 scheme:

University of Manchester North Campus

Mayfield Depot Site

3.113 Further plans within the HS2 Strategic Regeneration Framework provide a robust strategic vision to regenerate the areas immediately to the north and west of the station area. This includes the creation of a new street alignments and a boulevard alongside the proposed terminal building. The positive implications of these new streets are that the highway network is better linked for access to Piccadilly Basin and the Northern Quarter. Therefore Auburn Street and Aytoun Street are likely to experience a reduction in pressure as access links for general traffic. As a result there is potential for both Aytoun Street and Auburn Street to ultimately be fully pedestrianised alongside the existing tram alignment between Piccadilly Station and Piccadilly Gardens.





The Framework

4.1 This Chapter of the SRF sets out the framework for the redevelopment of the Site. It includes providing details on the core development principles which will guide future works on the Site. An overarching aim of the SRF is to deliver a scheme that looks like it has developed organically rather than one which has been dropped into the middle of the city. It should look like each element has regard to every other building and space within the site, as well as to the immediate site context. The SRF seeks to craft a new neighbourhood within the city - a sustainable, exciting and deliverable development and which nestles into this emergent and vibrant part of Manchester city centre.

Core Design Principles

4.2 To support the delivery of economic objectives, the redevelopment of the Site must come forward in a form which delivers a high quality development which creates a new sustainable neighbourhood with a distinctive sense of place and which is functionally and physically connected to the wider area.

4.3 At the heart of the strategy is the delivery of a mix of uses focused on residential and leisure (i.e. hotel or apart hotel), together with complementary ground floor retail and leisure activity which will provide amenities for visitors to, and occupiers of, this neighbourhood, as well as to local residents and other city centre users in adjoining areas. An element of workspace may also be incorporated subject to market demand but this would be very much ancillary to the predominantly residential and leisure uses proposed.

4.4 The purpose of this document, however, is not to prescribe a form of development, as inevitably there will be many different options and combinations of development which could take place that will achieve the important place-making objectives that the Site demands. However, it is important to identify a series of principles that should

be addressed in bringing forward detailed planning application proposals. The following Core Design Principles lie at the heart of the Framework Proposals for the Aytoun Street Campus Suite.

Relationship to the city context and streetscape contribution

The new development should create active frontages at street level enlivening the public realm towards Chorlton Street, Whitworth Street and Aytoun Street.

The new development should be designed to be attractive to end users and create a critical mass of activity which will make a significant contribution towards improving the vitality and viability of this area of the city centre and surrounding areas.

The development should enhance the permeability of the area, creating cross-site pedestrian routes. It should positively improve linkages across the Site in order to establish effective connections with the wider area, particularly around key public spaces and pedestrian desire lines – it should seek to ensure that new development helps to contribute to a walkable, pedestrian-friendly environment.

The architectural form of development should emphasise the walkability of the site and relationship to the city centre and associated amenities.

Parking provision should be minimised, with an emphasis on controlled parking and simple drop-off points.

Alignment of new building blocks along existing streets should be to the back of the pavement line, to enhance the linear character of the streetscape. The development should seek to address the Whitworth Street / Aytoun Street junction at the southern end of the site (subject to addressing any underground

services or ownership issues).

The height of new development should be interdependent with the other criteria, architectural design quality and impact within selected important views. Due to the nature of the existing urban grain and contemporary and emerging development along Aytoun Street, there is scope for development of greater height to the south and south-east of the site.

Entrances to the site should be clearly articulated, using corner blocks stepping up to greater height to mark entrances.

At the south eastern corner of the Site, the potential for either a lightweight structure, or a cantilevered building should be explored to strengthen this corner and create a defined street edge along Whitworth Street. The viability of such an intervention will however be dependent on the resolution of ownership constraints and/or any physical constraints in terms of below ground services.

Contribution to the historic environment

Redevelopment of the site should seek to improve the setting and appearance of the Listed buildings on the site, as well as secure their long term future through active reuse.

The proposals should demonstrate that it will not have an adverse visual impact on the setting of the identified heritage assets from either inward or outward looking views.

Particular attention should be given to the expression of the development in views into the site from Minshall Street, Whitworth Street, Chorlton Street and Aytoun Street.

Particular attention should be given to development either side of the Grade II Listed Buildings within the site, in acknowledging the expression of these buildings and to enhance their setting.

The development should demonstrate enhancement of the adjacent Whitworth Street Conservation Area by the form of development on the site and its architectural quality.

Development should create a positive response to the Rochdale Canal, improving its visibility from the surrounding area and exploring sustainable concepts for its integration into a site-wide landscape strategy.

Architectural quality

New developments must be of a high quality in terms of buildings and public spaces to match and signify the importance of this gateway site.

The architectural style should be clearly contemporary, although taking influence in terms of proportions, materiality and elevation rhythms from the adjoining building styles (i.e. clear verticality).

The overall design should demonstrate that it contributes to the varied architectural character of the area, and is specifically adapted to its context.

Buildings with individual expression and vitality will be supported.

Monolithic / uniform blocks should be avoided by careful articulation of elevations and expression of corners which manipulate verticality.

Proposals should seek to work with the topography of the Site.

The expression and animation of the roofscape / skyline is particularly important, as the site will be viewed from a range of short and medium range views around the city.

Services such as lift towers and ventilation or heating ducts should contribute positively to the articulation of the skyline.

Inspirations should be evident from the existing colour palette and use of materials such as brick and stone should be considered. The employment of appropriate materials, to disaggregate the mass of blocks and provide coherent texture, should be explored and a strategy produced to demonstrate the range of materials.

The colour palette of materials must avoid jarring or strident use of unrelieved panels of colours and avoid conflict with other nearby buildings.

Ensure that the area is fully accessible to all and create a safe and secure environment using the principles of "Secure by Design."

Transport & Highways

Improve pedestrian and public transport linkages into and near to the Site to promote better use of strategic bus, rail and Metrolink services.

Access, servicing and parking should be consistent with the wider transport initiatives which aim to reduce traffic within the city centre and promote a modal shift to increased use of public transport.

Sustainability & Management

New buildings within the SRF area should of course achieve as a minimum the energy performance standards in the building regulations - but should aspire to achieve higher levels where achievable.

No specific standards are confirmed in this document however developers would be commended for aiming to achieve high quality sustainability standards such as BREEAM "excellent".

On site power generation, given the city centre context, is problematic so as an alternative, the design focus for new and refurbished buildings should be based on aiming to

reduce energy use by incorporating high levels of insulation, utilise recovery of waste heat where possible, incorporate high levels of energy efficiency and adopt high standards for the use of sustainable building products where practical.

The site is ideally located for residents, visitors and workers to access city centre transport public transport connections – Metrolink being accessible from Piccadilly Station.

Alternative modes of transport however should be allowed for – primarily cycling facilities. The incorporation of new public routes into and through the site will also benefit pedestrian connections to key transport infrastructure.

The public realm delivered as part of the scheme will require a suitable ongoing management regime to ensure upkeep and safety across the site.

The Framework

Indicative Development Proposals

4.5 Based on the site analysis undertaken and detailed in Section 3 of this SRF; and the design framework established above, a number of redevelopment studies for the site have been completed.

4.6 These are included for guidance to demonstrate how proposals for the site could come forward.

4.7 From the site analysis and the introduction of the new public routes which bisect the site, the SRF area can be split into three distinct development zones, as follows (Figure 4.1):

Zone A

The canal frontage and listed buildings;

Zone B

The area east of Minshull Street; and,

Zone C

The area south of the proposed new street "Fish Pond Lane".

4.8 It is anticipated that these three zones may well come forward as separate phases (see section 5 below). These proposals are independent of and can be brought forward without the requirement for the adjacent highway works to Aytoun Street, Minshull Street and Chorlton Street being completed (i.e. these improvements could be completed as a fourth phase independent of the redevelopment works of zones A to C).

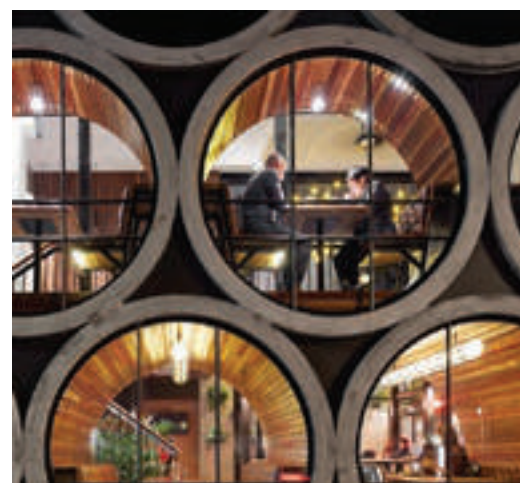
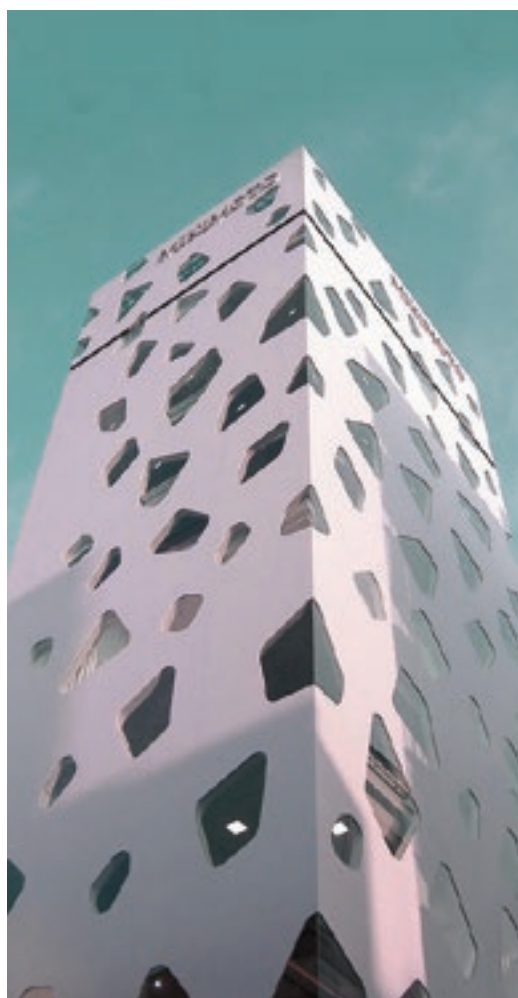
Figure 4.1 Development Zones



4.9 Two options are included below which propose indicative building footprints to illustrate how the site could be redeveloped. These have been developed with regard to the design principles established above.

4.10 A key driver for the redevelopment has been the extent of retention of the existing buildings within the site. It is clear that the two Listed Buildings within the site will be retained and fully brought back into use; however it may also be feasible and beneficial to retain other existing buildings – such as the existing 12 storey tower block.

4.11 This SRF does not set out a preferred option but both are included as illustrative examples below:



Site Analysis

Retention Option (Figure 4.2)

4.12 In addition to retention of the Grade II Listed Buildings within the site; this option would seek to retain the existing 1960s tower (structure only) and re-clad/re-glaze this to provide for a complete facade enhancement and refurbishment. The adjacent amenity block could also be retained. The structure of both of these is considered to be suitable for retention and redevelopment (for example for use as a hotel). A vertical extension to these structures of 1 to 2 storeys is considered to be possible given the strength of the existing concrete structural frames.

4.13 Within the area identified as “Zone A” above, the two Listed Buildings would be fully refurbished with a mix of uses being proposed, most likely leisure and residential, but possibly workspaces.

4.14 Extensions or additions to these buildings may be required to facilitate an appropriate refurbishment and change of use (the detail to be developed as part of any future application for Planning & Listed Building Consent).

4.15 A new public space would be created- “Little David Square” to the north east of Minshull House and opposite a new mixed use building of 10 to 15 storeys is proposed, with an active frontage to the new square and to Minshull Street.

4.16 The canal frontage and Little David Street would be upgraded and re-landscaped.

4.17 A new public space – “Minshull Square” – is proposed to the south of Minshull House and within this a two storey pavilion building for leisure or retail use is proposed to further enhance the vitality of this new space.

4.18 Within the area designated above as “Zone B” a new 10 to 15 storey building is proposed consisting of a mix of uses most

likely residential or hotel use with an active frontage at ground level.

4.19 A new linking public space would be created adjacent to the Rochdale Canal frontage allowing for an improved connection between the remainder of the SRF site and Piccadilly Place to the east.

4.20 Within “Zone C” at the south of the site, the existing 12 storey 1960s tower would be retained and potentially extended at roof level (by an additional two storeys).

4.21 The adjacent Amenity Block between the tower and Chorlton Street could also be retained and extended. The remainder of this zone would consist of an L-shaped building footprint along Chorlton Street and Aytoun Street/Whitworth Street.

4.22 This building would range in height from 10 to 15 storeys potentially with a step down in massing adjacent to the listed Minshull House. On the assumption that this building is predominantly residential, a central semi-private residents courtyard would be created between the new buildings to the south and the retained buildings to the north.

4.23 Given the Site’s strategic location close to Piccadilly there is an opportunity for a landmark building of high quality which might appropriately be located on southern part of the site.

4.24 This is identified within this development option at the corner of Whitworth Street/Chorlton Street and Aytoun Street. On the assumption that this building is of the highest design quality (i.e. designed to satisfy the requirements of national guidance such as the CABI and English Heritage’s “Guidance on Tall Buildings, 2007”) a ‘tall building’ (up to 31 storeys) in this location could be judged to be appropriate.

4.25 This would be predominantly residential use with active leisure and retail use at ground floor level; plus the potential for leisure uses at mid and/or high level.

4.26 At the south eastern corner of the Site, the potential for either a lightweight structure, or a cantilevered building will be explored to strengthen this corner and create a defined street edge along Whitworth Street (as noted above dependent on the resolution of ownership constraints and/or any physical constraints in terms of below ground services).

4.27 In summary, this option looks to retain all elements on the site which are suitable for refurbishment, redevelopment and extension to provide a range of new uses. This option has the benefit in being quickly deliverable, specifically “Zones A and C” given the large amount of building re-use being proposed.

Figure 4.2 Indicative Masterplan Retention Option



The Framework

New Build Option (Figure 4.3)

4.28 For this option the proposals for “Zones A and B” are identical to the retention option described above.

4.29 Within “Zone C” this area would be fully cleared of all existing buildings. This allows for a more comprehensive redevelopment of this part of the site.

4.30 As indicated on Figure 4.6 below, a new urban block would be created bounded by a new pedestrian street “Fish Pond Lane” and by Aytoun Street, Whitworth Street and Chorlton Street. This building would be predominantly residential in use with active ground floor leisure / retail uses to all surrounding streets where practical. Generally this block would be circa 10 to 15 storeys in height potentially with a step down in massing adjacent to the listed Minshull House.

4.31 For this option, there is also the opportunity for development of a new tall building – to be located either on the corner of Whitworth Street / Chorlton Street (as per the retention option) or on the current site of the 12 storey 1960s tower block.

4.32 On the assumption that this was of the highest design quality (as above) a tall building of up to 31 storeys could be judged to be acceptable.

4.33 In summary this options looks to propose a comprehensive redevelopment of the site be removing all existing buildings and structures with the exception of the two Listed Buildings on the site. A range of new uses is proposed – predominantly leisure and retail at ground level with residential use above (as with the retention option).

4.34 This option has the benefit of providing a widened central new pedestrian street – “Fish Pond Lane” – to further improve connectivity between Chorlton Street and Aytoun Street.

Building Height and Massing

4.35 In general, the approach to building height and massing within both development options above has been developed to respond to the proximity of the Grade II Listed Buildings within and adjacent to the site; the proximity of the adjacent Conservation Area and lastly the proximity of the Grade II* Listed Crown Court and Fire Station.

4.36 The suitable provision of open streets and public spaces within and adjacent to new building zones has also been developed to enhance the setting of these key heritage assets.

4.37 Generally, new buildings are proposed to range from 10 to 15 storeys in height which is considered to be suitable given the central city centre location and the precedent set by surrounding new developments (e.g. Piccadilly Place). As the emerging masterplan is developed, opportunities for taller buildings may well be considered and the feasibility of these developed further. Any ‘tall building’ will need to be of the highest design quality and subject to full assessment contained under the terms of local policy contained within Manchester’s Core Strategy and in national policy provided by CABE and English Heritage’s Guidance on Tall buildings.

Figure 4.3 Indicative Masterplan New Build Option



Delivery Strategy

5.1 The proposed development of the Aytoun Street Site will make a significant contribution to achieving the key objectives for the Piccadilly area. It will:

Mark a key gateway / arrival site for Manchester with a quality landmark development, creating a positive first impression of the city;

Enhance linkages between the city core and Piccadilly;

Encourage the use of the area's transport assets, namely both Piccadilly Station and the Piccadilly bus/Metrolink interchange, which are both located close to the site; and,

Represent a significant further investment to the area, building upon recent successes, which will further strengthen Piccadilly Gateway's role in underpinning the economy of the city centre.

5.2 The continuing success of Manchester city centre's regeneration combined with the Site's adjacency to Piccadilly (including the proposals to accommodate the arrival of HS2), means it is well placed strategically to deliver lasting regeneration and to act as a catalyst to the regeneration of neighbouring sites.

5.3 The Design Principles in Chapter 4 have been developed to capture this opportunity and promote a Masterplan comprised of a series of zones. The mix of residential and commercial/leisure uses with ground floor active retail frontages and the new areas of public open space was defined early on as appropriate to the site both in terms of generating activity to enliven the new city block but also generate value to secure redevelopment of this vacant site and responding to market demand.

5.4 Importantly these uses will provide animation and amenities for visitors to, and

occupiers of the Site as well as to local residents and other city centre users in adjoining districts.

5.5 The exclusive nature of the constituent parts making up the Site particularly the stretch of Canal frontage and the Listed Buildings make for a quite distinct development, an exceptional place to live, to work and to visit.

A Flexible Approach

5.6 It is recognised that due to the size of the Site, it may be delivered in a series of manageable phases that can be sequenced in any number of ways in response to market conditions.

5.7 As outlined in the previous section indicative Masterplans have been prepared to sit alongside this Framework to demonstrate how development principles within this SRF could be delivered. The indicative Masterplans may change over time as thinking develops, opportunities come forward and detailed design work is progressed. At this stage, they clearly demonstrate a high quality solution to the regeneration of the site in accordance with key development principles.

5.8 In the spirit of a 'framework', some of the strategic principles of the SRF are more definitive but other aspects are only indicative. Aspects such as pedestrian connections and the protection of the heritage assets are more fixed to ensure that the wider heritage and public realm objectives can be satisfied. Other aspects such as height, footprint and architectural language will benefit from an evolution that adds richness, quality, modulation and a degree of diversity.

5.9 One of the concept masterplan options includes the retention of the MMU Tower Block should there be firm market interest in retaining this building. It is important to note that should any existing non-listed building be

retained, it would be subject to a comprehensive external refurbishment so that its appearance remained in keeping with the principles guiding the wider redevelopment of the Site.

5.10 Importantly, emphasis has been placed on ensuring that key infrastructure and public realm interventions can also be phased. This will ensure that the development cashflow does not have to bear significant upfront costs before development proceeds are returned. This flexibility is essential in today's challenging financial climate. On a building by building basis, the truly mixed-use nature of the Masterplan will enable simultaneous development to occur on a number of frontages. In so doing, this will allow the scheme to generate early momentum and a corresponding critical mass of occupiers, residents and visitors.

5.11 All new build development plots benefit from inherent flexibility and have been designed to accommodate various use typology footprints. This will allow them to adapt to changing market dynamics throughout the life of the project. Similarly, the Masterplan is capable of flexing both vertically (i.e. more / less massing) and horizontally (i.e. more / less land take). These design characteristics further mitigate risk and will help to drive forward development.

5.12 The emerging vision for the surrounding highway network is supported by policies within the Transport Strategy for Manchester city centre. These look to support public realm enhancements and improved pedestrian access with the desire to shift through-traffic from city centre streets out to the Inner Relief Road. It is important to note that the suggested changes to the highway and public realm adjacent to the Site are not essential to the delivery of the masterplan concepts, however narrowing carriageways, widening footways and integrating cycle facilities into

the streetscape will all help contribute to a much improved local highway network.

5.13 Longer term vision for the wider area surrounding Piccadilly will create additional opportunity to reimagine the local streetscape. New developments and the potential for the HS2 terminal construction will be exciting additions to the city which will further enhance the attractiveness of the Aytoun Street site.

Uses

5.14 At the heart of the strategy is the delivery of a mix of uses focused on residential and leisure (including hotel and apart hotel uses) together with complementary ground floor retail activity which will provide amenities for visitors to, and occupiers of this site. The proposals will deliver a new city centre block teaming with activity and interest.

5.15 Should there be interest in other appropriate city centre uses that can generate similar levels of activity then they will also be considered subject to accordance with local planning policy.



Delivery Strategy

Residential

5.16 Manchester is a rapidly growing city with one of the highest population growth rates in the UK twinned with a strong economic resurgence post-recession. Both of these factors combined mean that significant investment in housing is required and, as importantly, it is required to be in the most suitable locations. The city centre is the biggest source of jobs in the region and developments that service its needs in terms of providing suitable accommodation will be supported.

5.17 There are many examples of residential developments within a short walk of the site (for example, the Hub at Piccadilly Place, The Grand and Mercury buildings on Aytoun Street and converted warehouses on Whitworth Street), with numerous other examples in the Northern Quarter and Eastern Gateway area. The proximity of the site to these established residential districts presents an excellent opportunity to deliver an early phase of development.

5.18 Whilst 2 to 3 years ago there may have been an oversupply of accommodation coming to the market relative to demand, the relative absence of new build activity over the past 2 to 3 years has meant that this imbalance has been rectified. The rental market in particular has strengthened and high levels of demand and competition for properties has resulted in price increases for prime apartments, and a nil-void position.

5.19 The proposals will add to the life, vitality and 24/7 use of the area which are integral to the delivery of a new sustainable city centre neighbourhood district.

5.20 Any proposal for student residential accommodation on the site would be considered by the Council as local planning authority in the context of Core Strategy policy H12 and would need to satisfy the criteria in that policy.

5.21 The importance of contributing towards Manchester city centre's mix and quality of

housing to ensure it meets the aspirations of existing and potential households is a critical component of the SRF. The Site is exceptionally well placed to create a new neighbourhood of choice, in a location adjacent to a range of employment, retail and leisure opportunities. The residential offer will benefit from the Canal side location which will contribute to the creation of a distinctive sense of place.

5.22 This approach is consistent with the adopted Manchester's Core Strategy which notes that proposals for residential development in this area will be supported where they contribute to the delivery of investment, economic regeneration and new employment.



Retail / Leisure / Hotel / Offices

5.23 There are clear opportunities to harness the huge footfall generated by the proximity to Piccadilly Station and the existing leisure uses along Canal Street by improving permeability and accessibility between the site and the wider area. The site has the potential to support a variety of complementary leisure uses which would provide a means of extending dwell time and generating footfall and activity into the site.

5.24 Ground floor cafes, restaurants, bars, and small retail uses are envisaged. There is an opportunity to incorporate weekend markets into the public realm. The retail offer should be targeted towards creating a sense of place and a distinctive offer. These types of uses would complement the redevelopment of the London Road Fire Station as a mixed use leisure and hotel destination.

5.25 The Minto & Turner building and Minshull House are the perfect setting for sensitive conversion to vibrant bars and restaurants,

trading from 19th century listed warehouses, spilling out onto Little David Street. They could also accommodate ground floor retail uses. At the upper levels they could be occupied by offices or put to residential use. When combined with the new architecture, the Listed Buildings have the potential to add a layer of complexity to the Site that will enable the SRF proposals to add to the rich grain of this part of the city centre.

5.26 As part of the mixed use offer, the site would be an excellent location for a hotel/ apart hotel. Its proximity to Piccadilly being a highly attractive factor for hotel operators which can be seen in the number of existing and planned hotels in the immediate area. On a broader scale, Manchester is a leading destination for retail and sports, as well as conference and exhibitions, due to the draw of Manchester Central and the Phones 4u Arena. Manchester's range of attractions are supported by excellent transportation links, including Manchester Airport, which is the UK's fourth largest airport. This combination fuels

the need for hotel provision in Manchester city centre.

5.27 Given the proximity to Piccadilly Station the site would be an attractive option for office workspaces/incubation offices. These may also be accommodated subject to demand.



Appendix A – Accordance with Planning and Regeneration Mandates

The Development Framework proposals positively address and deliver a range of regeneration policy priorities. A number of the key policy themes are highlighted in the following table.

Key Regeneration Objectives	Policy Document(s)	SRF Contribution
“Manchester city centre is the driver of economic growth” Manchester’s emerging Core Strategy identifies the city centre as the gateway to Manchester and the wider City Region for many potential investors, new residents and visitors. The City is critical to achieving Manchester’s economic objectives to increase productivity, grow the market and labour force, attract investment, improve skills and provide businesses with the right support. A range of economic development uses, including retail, leisure, entertainment and cultural and tourism facilities will be encouraged in the city centre to support this growth.	National Planning Policy Framework Greater Manchester Strategy Manchester Core Strategy	✓
“Creating quality places to meet the needs of a competitive City Region” New housing is needed to support sustainable economic growth and the regeneration of inner areas, as well as to address identified demographic needs in the coming years. Policy plays a key role in ensuring that the housing offer is of the right quality and mix to attract and retain the best talent and there is an identified need to focus on improving the match between the housing ‘offer’ and the aspirations of existing and potential new households. There is also a need to ensure that housing policy is linked to improving life chances in deprived communities. Manchester city centre will see some of the most intensive development of housing.	Greater Manchester Strategy Greater Manchester Housing Strategy Manchester Core Strategy City centre Strategic Plan Residential Growth Prospectus	✓
“Attract, retain and nurture the best talent” The Greater Manchester Strategy identifies that prospects for economic growth are closely tied to the ability to attract and retain the most talented individuals. It is therefore critical to focus on attracting talent and improving the marketing of the City Region’s attractiveness as a location to live, study, work, invest and do business. To support this aim, the residential, retail, leisure, culture and public realm offer must be co-ordinated to deliver a synergy that will attract and retain the most qualified, talented and innovative workers.	Greater Manchester Strategy Manchester Core Strategy City centre Strategic Plan	✓

Key Regeneration Objectives	Policy Document(s)	SRF Contribution
"Creation of inclusive sustainable communities" The continued economic success of Manchester city centre is essential to creating opportunities and benefits for local residents; an important challenge is for the benefits of growth to be spread across the City to reduce economic, environmental and social disparities, and to help create inclusive sustainable communities.	Greater Manchester Strategy Manchester Core Strategy City centre Strategic Plan	✓
"Manchester is the focus for cultural activity and creativity in the North of England" Manchester city centre will be the focus for culture and leisure within the City Region; proposals that will improve cultural facilities and facilities for business visitors will be encouraged, including the provision of new hotels.	Manchester Core Strategy City Centre Strategic Plan	✓
"Effective use of land" Planning policies should respond to local circumstances and market signals to enable the delivery of more development in suitable and viable locations. Plans should set out a clear strategy for allocating sufficient land which is suitable for development, taking account of the needs of the residential and business community. Policies should also make the most effective use of land by promoting mixed use developments that create more vibrant places, and encourage multiple benefits for the use of land in urban areas. The approach set out within the Development Framework has been developed in accordance with these principles. It provides a set of development principles that will enable the delivery of a vibrant mixed use development on a key strategic site, which can be adapted in response to the current market conditions and identified needs for the city centre.	National Planning Policy Framework Greater Manchester Strategy Manchester Core Strategy City Centre Strategic Plan	✓

A PARTNERSHIP BETWEEN

Henry Boot **CAPITAL&CENTRIC**

APPENDIX

H

**CORE STRATEGY
DEVELOPMENT PLAN**

Appendix H



Manchester's Local Development Framework

Core Strategy Development Plan Document

Adopted 11th July 2012

Published by Manchester City Council
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**MANCHESTER
CITY COUNCIL**



12 Objective 6 Environment

Manchester City Council | Manchester Core Strategy 2012 to 2027

- **Legibility:** a place that has a clear image and is easy to understand
- **Adaptability:** a place that can change easily
- **Diversity:** a place with variety and choice

12.7 The protection and enhancement of local environmental quality, however, involves understanding and respecting the character and distinctiveness of place and landscape. A Character Study was prepared which considered Manchester's historical development and topography and identified eleven strategic character areas. These are described in Policy EN1 below and are shown on figure 12.1. New development in Manchester will be expected to take into consideration its location within the specific character areas and reinforce the sense of place and local distinctiveness of the City. This is considered an important element in increasing the sense of local ownership of and respect for a neighbourhood.

Policy EN 1

Design Principles and Strategic Character Areas

All development in Manchester will be expected to follow the seven principles of urban design, as identified in national planning guidance and listed above and have regard to the strategic character area in which the development is located. Opportunities for good design to enhance the overall image of the City should be fully realised, particularly on major radial and orbital road and rail routes. Design and Access Statements submitted with proposals for new development must clearly detail how the proposed development addresses the design principles, reinforces and enhances the local character of that part of the City and supports the achievement of the Core Strategy Strategic Objectives.

1. City Centre Character Area

The City Centre contains a rich legacy which reflects its urban evolution to the current day and includes listed buildings, conservation areas, archaeological remains and an historic street pattern. Its core area presents a particularly dense environment that accommodates a wide and closely integrated range of uses including commercial, civic and residential activities. Relative to the amount of development there is limited open space and this includes a range of civic and less formal green spaces and waterways. Outside the core and associated with the Inner Relief Route there are less active and less densely developed areas with significant elements of cleared land. The City Centre is the focus of the City's transport routes.

- Developers will be expected to consider the City's heritage and continue the rich pattern of activity in the core area.

- While there will be opportunities to create landmark buildings, developments should also contribute positively to the experience of all at street level.
- Wherever possible the opportunity should be realised to enhance existing and provide new areas of meaningful open space, and the maintenance and improvement of the City's permeability should be considered in all proposals.

2. The Corridor (Higher Education Precinct (HEP)) Character Area

This area contains major educational and medical institutions located alongside a linear route in a variety of large scale buildings. Underlying this are remnants of the historic past such as the grid iron street pattern dating principally from the 19th Century. The area contains a network of open spaces often resulting from more recent developments and is busy especially with public transport and pedestrian movement through much of the 24 hour day with patterns of movement linking areas to both sides of Oxford Road. The Corridor represents the only area where the levels of activity, range of uses and scale of built form associated with the City Centre extend beyond the Mancunian Way.

- New development needs to reflect the significant scale and form expected from major City institutions and opportunities will exist for more innovative and contemporary built forms, which have regard to the historic context.
- A balance between built form and open space which allows for easy movement through and across the area will be required.

3. Heaton Park Character Area

Heaton Park is a large, historic, Grade II listed municipal park, containing a number of historic structures dating from its original use as a country estate. It is used for a mix of formal and informal recreational opportunities in a primarily informal landscape. It is the highest point in the City.

- A continuation of its historic landscape character as parkland with informal groups of trees, to enable the accommodation of the existing range of leisure activities, is expected.

4. Northern Character Area

The character of this area is significantly affected by the topography, with a marked increase in height moving northwards, cut by the River Irk and its tributaries. There is a finer grained, predominantly residential mix of development, broken up by open spaces and significant tree cover also linked to the local topography.

- Developers should respond to the underlying topography and varied townscape created by the balance between built form and the tree-covered landscape.



Objective 2 Economy and City Centre 8

Manchester City Council | Manchester Core Strategy 2012 to 2027

8.50 In delivering large City Centre schemes, a partnership approach will be promoted by the Council. Developers should foster a strong relationship with development partners, including the Council, from the outset to ensure that proposals will meet the City's regeneration priorities. Successful planning and regeneration occurs when attempts are made to reconcile myriad stakeholders' objectives. The balance of economic, social and environmental issues is at the heart of sustainable development, and therefore the development process should be founded on a wide range of public and private partners. This is patently the case in the City Centre, where the circumstances mean that few developments are straightforward in terms of land ownership, end users and other stakeholders.

8.51 Partnership with wider regeneration interests is also a means of aligning development proposals with wider regeneration objectives. Flexibility is necessary in identifying the most productive approach to regeneration, and for this reason partnership will be essential alongside a broad policy context. This approach reflects the principles in the Greater Manchester Strategy.

Policy CC 9

Design and Heritage

Design of new buildings will need to be of the highest standard in terms of appearance and function. The standards and guidance explained in other LDF policies should be the basis for the approach to design, with particular attention to be given to the City Centre context and character.

Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.

The Council will support high density and mixed use development in the City Centre, but developers must recognise the specific design challenges that must be overcome to ensure complementarity of function and form. New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.

8.52 Although the City Centre needs to be able to change in order to accommodate growth and the changing requirements of development, it is important that the character of the City Centre is recognised as a key determinant of decisions to invest in the area.

8.53 The City Centre has 14 Conservation Areas and numerous Listed Buildings. These are essential ingredients to the City's sense of place, providing aesthetic quality and strong references to the City's past, which will always be a central part of Manchester's character. Development which fails to respond to the opportunities that this context affords should not be supported.



8 Objective 2 Economy and City Centre

Manchester City Council | Manchester Core Strategy 2012 to 2027

Recent development, including Urbis and the Civil Justice Centre, has demonstrated how modern architecture of the highest standard can succeed alongside the established built fabric of the City Centre.

8.54 The scale and density of development anticipated in the City Centre will require that different uses co-exist in close proximity and new development sits alongside some of the City's best built heritage. The Council's support for extensive City Centre development does not accept that this requires any compromise in terms of environmental quality. New developments will therefore be required to be able to demonstrate that they will support adjacent uses and enhance the appearance and use of the City Centre. Development should have regard to policy EN1.

Policy CC 10

A Place for Everyone

The City Centre will develop as a location which appeals to a wide range of residents and visitors. Development which promotes this objective will be supported, particularly through:

- Uses which increase the diversity of activity in the City Centre, with an emphasis on family-oriented activity; and,
- High standards of accessibility to buildings and across spaces in the City Centre.

8.55 A key aim of the City Centre Strategic Plan is to promote a more diverse City Centre which appeals to all people. Delivery of this aim will in part come through management initiatives, but it is also important that development supports the objective where possible, too. The City Centre has a strong reputation for its evening economy. This reflects its cultural heritage of musical and theatre venues together with a wide range of restaurants and bars. The Council will aim to extend the attractiveness of the City Centre to all groups of people. This will be done by promoting uses and public areas which appeal to a wide range of people, and which will promote the City Centre as a destination, for work and leisure, throughout the day. Manchester City Council aims to be the most accessible city in Europe, so it is imperative that the City Centre epitomises this aim in its public realm and buildings.

8.56 Creating a place for everyone is an important objective if Manchester's potential as a visitor attraction is to be realised, increasing its appeal to visitors from within the City and beyond. In particular, there will be an emphasis on creating a family-friendly environment. This is also a key ingredient in attracting and retaining a wider range of City Centre residents, so that City Centre living can be a choice which suits people irrespective of age or lifestyle, or changes in either.



12 Objective 6 Environment

Manchester City Council | Manchester Core Strategy 2012 to 2027

spinning mill was built in 1781-82 on Shudehill and began a boom in mill construction along the Irk and Medlock valleys. Between 1782 and 1816 the number of steam powered mills rose from 1 to 86 and were built on a huge scale employing hundreds of people.

12.18 Textile mills continued to evolve and industrial sites expanded throughout the 19th and into the 20th century. By the end of the 19th century commercial warehouses became the principal character type of Manchester's commercial core. These prestigious buildings of iron and steel faced with stone, tile and glass inspired by the medieval merchant houses of Florence and Venice became the showrooms of textile merchants. The 19th century also brought the railways with stations, warehouses, sidings and viaducts dominating the city fringe. As well as improving communication for trade they enabled the commuting from the outskirts with urban cores developing at Gorton, Harpurhey, Chorlton, Withington and Didsbury.

12.19 The early 20th century saw shrinking world markets, economic depression and the decline of the North West's textile industry. Despite this there was substantial house building particularly in south Manchester. Between 1919 and 1939, 30,000 corporation supported houses were built in the city. The planned estates of Withington, Burnage, Wythenshawe, Woodhouse Park and Sharston are examples. By the middle of the 20th century it was decided that the inner city housing was obsolete and living conditions unacceptable so 'slum' clearance led to the creation of new inner city housing at Beswick, Miles Platting, Moss Side and Hulme. Late 20th century and early 21st century programmes have sought to redevelop these inner estates suffering from social as well as physical decline in the latter 20th century.

12.20 The historic environment is central to our cultural heritage. It contributes to the identity of Manchester through its aesthetic value and the memories of events. The original Victorian City helps create a sense of place and enhances the quality of our daily lives. Furthermore it can provide a catalyst for regeneration.

Policy EN 3

Heritage

Throughout the City, the Council will encourage development that complements and takes advantage of the distinct historic and heritage features of its districts and neighbourhoods, including those of the City Centre.

New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.



Objective 6 Environment 12

Manchester City Council | Manchester Core Strategy 2012 to 2027

Proposals which enable the re-use of heritage assets will be encouraged where they are considered consistent with the significance of the heritage asset.

12.21 Historic sites and areas of particular heritage value should be both safeguarded for the future and, where possible, enhanced both for their own heritage merits and as part of wider heritage regeneration proposals. Conservation areas (see Figure 12.2) and buildings that are statutorily listed are protected under national legislation guidance. The Council maintains information on the City's heritage assets. It is expected that developers will carry out an appropriate appraisal of issues relating to heritage assets. Re-use of empty listed buildings will be encouraged subject to consideration of the building's special interest and significance.

12.22 To ensure the special architectural and historic interest is preserved and enhanced the Council maintains a schedule of listed buildings at risk and will produce documentation that identifies the important characteristics of existing conservation areas including the identification of those areas to be preserved and those in need of enhancement.

12.23 The above work will inform the implementation of Core Strategy policy.

Delivery Strategy

Core Strategy Policy	Project/Programme	Responsible Agency	Source of Funding	Timescale
EN1	Supplementary Planning Documents	MCC (Planning)	MCC	2012
	Planning Development Management	MCC, Developers	Developers	Ongoing
EN2	Planning Development Management	MCC, Developers	Developers	Ongoing
EN3	Victoria Baths Restoration Phase 1 Plus works	MCC	MCC	2010-2015
	Conservation Area Appraisal Programme	MCC	MCC	Ongoing



13 Development Management and Planning Obligations

Manchester City Council | Manchester Core Strategy 2012 to 2027

Delivery Strategy

Policy	Project/Programme	Responsible Agency	Source of Funding	Timescale
PA1	Section 106/CIL or successor regs Infrastructure Plan	MCC	Developer	Up to 2027

Policy	Indicator
PA1	Total contributions per annum

Development Management

13.6 All new developments should follow the 'Development Principles' and accord with the design guidance set out in the Supplementary Planning Documents

Policy DM 1

Development Management

All development should have regard to the following specific issues for which more detailed guidance may be given within a supplementary planning document:-

- Appropriate siting, layout, scale, form, massing, materials and detail.
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation. This could also include proposals which would be sensitive to existing environmental conditions, such as noise.
- Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.
- Community safety and crime prevention.
- Design for health.
- Adequacy of internal accommodation and external amenity space.
- Refuse storage and collection.

- Vehicular access and car parking.
- Effects relating to biodiversity, landscape, archaeological or built heritage.
- Green Infrastructure including open space, both public and private.
- The use of alternatives to peat-based products in landscaping/gardens within development schemes.
- Flood risk and drainage.
- Existing or proposed hazardous installations.
- Subject to scheme viability, developers will be required to demonstrate that new development incorporates sustainable construction techniques as follows (In terms of energy targets this policy should be read alongside policy EN6 and the higher target will apply):-

a) For new residential development meet as a minimum the following Code for Sustainable Homes standards. This will apply until a higher national standard is required:

Year 2010 – Code Level 3;
Year 2013 - Code Level 4;
Year 2016 - Code Level 6; and

(b) For new commercial developments to demonstrate best practice which will include the application of the BREEAM (Building Research Establishment Environmental Assessment Method) standards. By 2019 provisions similar to the Code for Sustainable Homes will also apply to all new non-domestic buildings.

13.7 The Council's approach to Development Management is intended to ensure that new developments contribute to the overall aims of the Core Strategy. The issues which should be considered are those which will ensure that the detailed aspects of new development complement the Council's broad regeneration priorities, in particular by contributing to Neighbourhoods of Choice. This includes protection of amenity and local character, environmental standards and practical matters such as access and safety. These issues will be considered in more detail through the Supplementary Planning Document, the Guide to Development in Manchester.

13.8 Developers should consider the use of 'Building for Life', the national standard for well designed homes and neighbourhoods as a means of demonstrating that a scheme embodies good design and function.

13.9 Design for Access 2 (DFA2) is the Council's adopted design guidance on creating accessible environments and buildings, in particular meeting the needs of disabled people. DFA2 demonstrates the Council's approach and should be used by developers as a best practice guide.



6 Objective 1 Spatial Principles

6.1 SO1. Provide a framework within which the sustainable development of the City can contribute to halting climate change.

Within the context of mitigation and adaptation to climate change, the framework will guide the scale and distribution of economic, housing, transport, environmental, health, education and other service and infrastructure investment across the City.

6.2 The broad spatial organisation of the City establishes a number of overlapping geographies. The City is organised into Regeneration Areas, comprising North Manchester, East Manchester, the City Centre, Central Manchester, South Manchester and Wythenshawe, and policies in the Core Strategy reflect this organisation. However, the economic potential of the City Centre has resulted in the creation of further opportunities in adjacent areas. These parts of the North, East and Central Regeneration Areas are recognised as the City Centre Fringe. Furthermore, there are areas in Manchester (and Salford and Trafford) which have potential to perform a sub-regional economic role. To acknowledge this potential the Regional Centre has been identified, and this too includes parts of the North, East and Central Regeneration Areas. Consequently, within the Core Strategy parts of North, East and Central Manchester may also be within the City Centre Fringe and the Regional Centre; the development that is promoted in such locations emerges from this context.

6.3 To ensure sustainable development, in the context of Climate Change, throughout the City, Manchester has set key principles that apply to all development regardless of type.

Policy SP 1

Spatial Principles

The key spatial principles which will guide the strategic development of Manchester to 2027 are:

- The Regional Centre will be the focus for economic and commercial development, retail, leisure and cultural activity, alongside high quality city living.
- The growth of Manchester Airport will act as a catalyst for the regional economy, and will also provide the impetus for a second hub of economic activity in this part of the City.
- Beyond these areas, the emphasis is on the creation of neighbourhoods of choice, providing high quality and diverse housing around district centres which meet local needs, all in a distinct environment. The majority of new residential development in these neighbourhoods will be in the Inner Areas, defined by the North Manchester, East Manchester and Central Manchester Regeneration Areas.



6 Objective 1 Spatial Principles

Manchester City Council | Manchester Core Strategy 2012 to 2027

- The City is covered by regeneration areas including the City Centre. All development should have regard to the character, issues and strategy for each regeneration area as described in the North, East, Central and South Manchester and Wythenshawe Strategic Regeneration Frameworks and the Manchester City Centre Strategic Plan.
- The City's network of open spaces will provide all residents with good access to recreation opportunities. The River Valleys (the Irk, Medlock and Mersey) and City Parks are particularly important, and access to these resources will be improved.
- New development will maximise the potential of the City's transport infrastructure, in particular promoting walking, cycling and use of the public transport. The extension to the Metrolink network through the Oldham and Ashton lines will create key corridors for new development.

Core Development Principles

Development in all parts of the City should:-

- Make a positive contribution to neighbourhoods of choice including:-
 - creating well designed places that enhance or create character.
 - making a positive contribution to the health, safety and wellbeing of residents
 - considering the needs of all members of the community regardless of age, gender, disability, sexuality, religion, culture, ethnicity or income.
 - protect and enhance the built and natural environment.
- Minimise emissions, ensure efficient use of natural resources and reuse previously developed land wherever possible.
- Improve access to jobs, services, education and open space by being located to reduce the need to travel and provide good access to sustainable transport provision.

6.4 The spatial principles behind Manchester's Core Strategy seek to emphasise the role of the City to the Greater Manchester economy, and also ensure that the City grows in a way which reflects the aspirations of its residents.

6.5 The Regional Centre, with Manchester City Centre at its core, is the economic driver of the City Region and has greatest potential to drive its continued economic growth, and to do so with the least environmental costs. At the south of the City is Manchester Airport, which is the most significant international gateway to the North of England. This is an asset for Greater Manchester as a whole, but also this presents a secondary hub for economic growth in Manchester, with a particular emphasis towards business sectors that benefit most from international connectivity. This economic opportunity sits alongside an area of pronounced deprivation, which will benefit from the creation of accessible employment.

SAVED POLICIES OF UDP

So far as policy DC14.3 is concerned, the Council is aware of the need for greater security for commercial premises in many parts of the City, but takes the view that only in exceptional circumstances would it be necessary to resort to designs which present wholly solid exteriors to the street. These are usually unattractive, provide targets for graffiti and can add to a sense of intimidation and degeneration in the wider area.

15. ADVERTISEMENTS, HOARDINGS AND POSTERS

DC15.1 The Advertisement Regulations require that applications for advertisements be considered only in the interests of amenity and public safety. In determining applications for free standing hoardings and wall mounted posters the Council will take account of the following matters in assessing these interests:

- a. the general location of the proposed development and the effect on visual amenity;
- b. the scope for posters and hoardings to make a positive contribution to the locality;
- c. the design of the structures, and the relationship with any premises on which they are located;
- d. the effect of the proposal on permanent redevelopment of the land;
- e. public safety resulting from the positioning of the design of the display;
- f. the ease with which the structure is capable of being satisfactorily maintained;
- g. the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
- h. the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development;
- i. the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
- j. the number of advertisements in the locality and their cumulative effect on visual amenity.

DC15.2 In assessing the interests of amenity and safety the Council will take account of the following criteria:

- a. developments of this kind should not harm the character or architectural features of a building, nor interfere with its proper use;
- b. they should be in scale with the locality and relate properly to the site on which they stand;
- c. they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;
- d. a proposal which would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size, or design will not be permitted.

DC15.3 Where, having regard to the preceding policies, the Council considers the proposed development to be acceptable in principle, conditions may be imposed in order to protect safety and amenity.

Reasons :-

The Council accept that advertisements can have a positive role in improving the quality of the visual environment in the City - examples are given in policy DC15.2. At the same time, there is the need to maintain public safety, avoid clutter, and safeguard the particular features of buildings or land.

(NOTE: The Council acknowledges the fact that there is widespread contravention of advertisement control evident as this Plan is being prepared. Many of the unauthorised advertisements would be unlikely to receive permission if they were assessed in accordance with the present policy, and the Council intends to take action to deal with this situation during the early part of the Plan period).

17. TELECOMMUNICATIONS

DC17.1 Applications for telecommunications developments will normally be approved if the Council can be satisfied that the development has been sited and designed to minimise its impact

on residential amenity and in environmentally sensitive areas. Wherever possible, the Council will expect the potential of existing buildings and masts, including the sharing of such facilities, to be fully explored before agreeing to additional separate development.

Reasons :-

The Council recognises the need for Manchester to be at the forefront in the field of telecommunications. The Council therefore starts from a presumption in favour of new development and investment in the telecommunication systems serving the City. Equally, it wishes to ensure that new developments are brought forward in a way which protects residential amenity and minimises the visual impact of such equipment, particularly in Conservation Areas and other environmentally sensitive areas in Parks and the river valleys. The Council is also concerned to make maximum possible use of existing buildings and facilities by encouraging operators to share facilities wherever possible in order to avoid unsightly duplication and clutter.

18. CONSERVATION AREAS

DC18.1 The Council will give particularly careful consideration to development proposals within Conservation Areas.

a. The Council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i) the relationship of new structures to neighbouring buildings and spaces;
- ii) the effect of major changes to the appearance of existing buildings;
- iii) the desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);
- iv) the effect of signs and advertisements;
- v) any further guidance on specific areas which has been approved by the Council.

b. The Council will not normally grant outline planning permission for development within Conservation Areas.

c. Consent to demolish a building in a conservation area will be granted only where it can be shown that it is wholly beyond repair, incapable of reasonably beneficial use, or where its removal or replacement would benefit the appearance of character of the area.

d. Where demolition is to be followed by redevelopment, demolition will be permitted only where there are approved detailed plans for that redevelopment and where the Council has been furnished with evidence that the development will be undertaken.

e. Development proposals adjacent to Conservation Areas will be granted only where it can be shown that they will not harm the appearance or character of the area. This will include the protection of views into and out of Conservation Areas.

Reasons :-

The Council is to pursue the above policies to encourage and help ensure the protection, preservation and enhancement of its Conservation Areas, which are areas of special character representing the rise and development of the world's first industrial city. The protection of such areas helps stimulate local pride and encourages both tourism and further investment. The policy gives effect to the obligation placed on the Council by statute to give particular attention to the quality of developments within conservation areas, and reflects the general policy objectives set out in policy E3.8 in this plan.

19. LISTED BUILDINGS

DC19.1 In determining applications for listed building consent or planning applications for development involving or having an impact on buildings of Special Architectural or Historic Interest, the Council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the Council will:

- a. not grant Listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;
- b. not permit a change of use of a listed building, where it would have a detrimental effect on the

- character or appearance of the building;
- c. not permit any external or internal alteration or addition to a Listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;
- d. seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;
- e. permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;
- f. not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.

Reasons:-

The above policies are to be pursued by the Council to help ensure the protection of the City's built character and its heritage. Retention and protection of this character is important in encouraging local pride, tourism and future investment in the city. The Council recognises that listed buildings can present particular problems in respect of their continuing use. A flexible approach will be taken in determining applications for uses in listed buildings. The policy gives effect to the obligation placed on the Council by statute to give particular attention to retain, restore, maintain and continue uses in listed buildings in Manchester.

20. ARCHAEOLOGY

DC20.1 The Council will give particular careful consideration to development proposals which affect scheduled Ancient Monuments and sites of archaeological interests, to ensure their preservation in place. In particular:

- a. Applications for consent to alter scheduled Ancient Monuments or sites of archaeological interest or their settings should be accompanied by an evaluation and assessment of the implications of the proposal.
- b. The Council will have special regard to the desirability of securing the preservation of Ancient Monuments and other sites of archaeological interest and their setting in place. It will not permit development that, in its opinion, would adversely affect scheduled Ancient Monuments, or other sites of archaeological interests, and their settings. In exceptional cases where development is inevitable, the Council will look at the scope for combining preservation in place with limited investigation and recording.
- c. Where the preservation of scheduled Ancient Monuments and sites of archaeological interest in place is not appropriate, the Council will seek to gain full and proper recording of the site through early consultation between the applicant and approved archaeological organisation.

Reasons :-

Ancient Monuments and sites of archaeological interest are valuable as part of Manchester's heritage and there is a presumption for their retention in place and against any damage occurring to them or to their setting. The policy gives effect to the obligation placed on the Council by statute to give particular attention to development proposals affecting Ancient Monuments and sites of archaeological interest, and reflects the general policy objective set out policy E2.8 in this plan. The Council will rely on the coverage of Ancient Monuments and sites of archaeological interest contained in the Sites and Monuments Record for Manchester for evidence of known archaeological remains.

22. FOOTPATH PROTECTION

DC22.1 In considering development proposals, the Council will have regard to the effect on existing pedestrian routes and will not normally allow development which would result in unacceptable inconvenience to local pedestrian movement.

Reasons :-

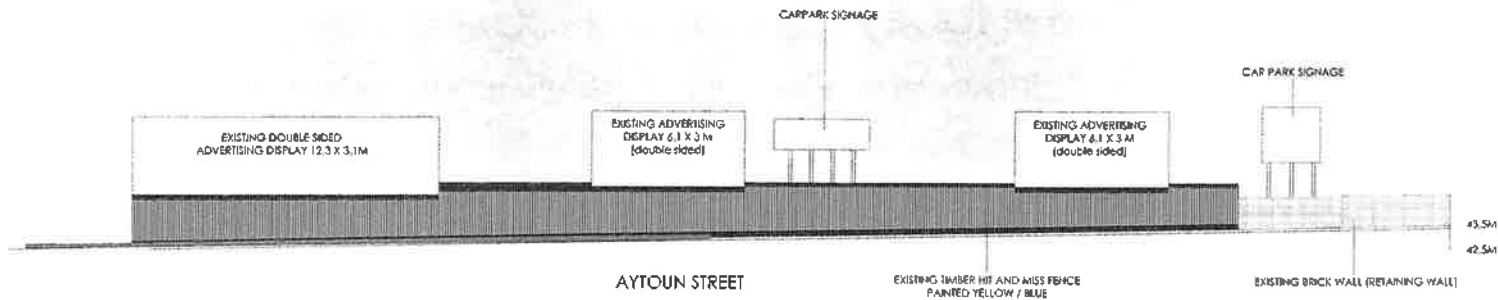
New development can result in the dislocation of locally valuable pedestrian routes. The Council wishes to avoid creating lengthy and unattractive diversions for pedestrians wherever this is

APPENDIX

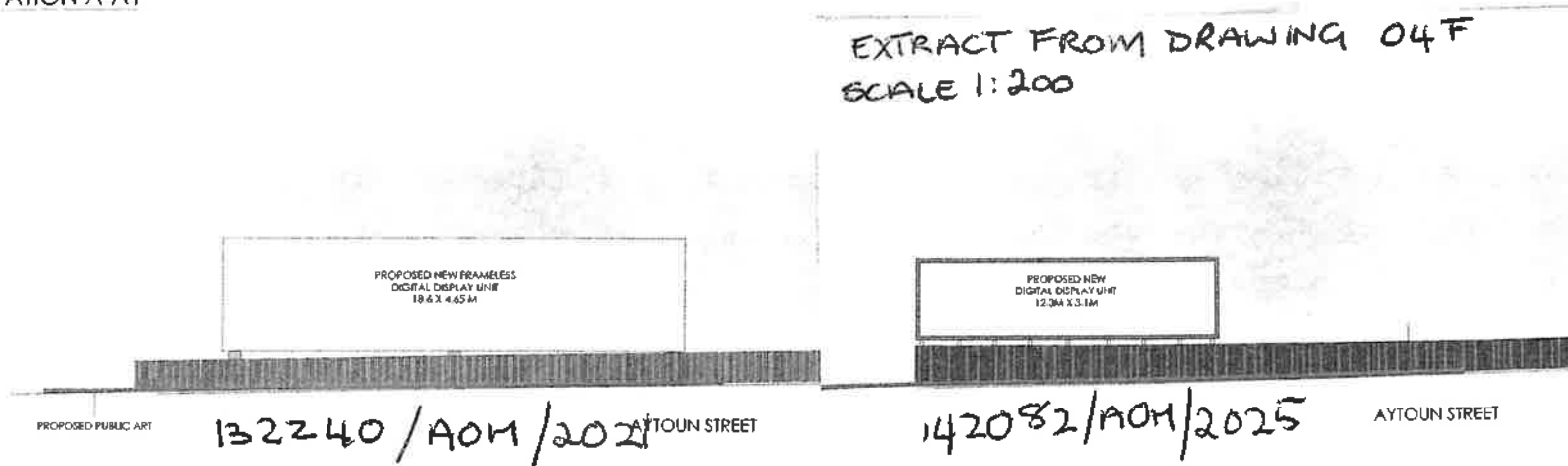
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ELEVATIONS

EXISTING SECTION-
ELEVATION A-A1



PROPOSED SECTION-
ELEVATION A-A1



Revision B 20/10/14 - Location of proposed display updated.
Revision C 17/08/17 - Revision to drawing 04 F



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Client
Vivid Outdoor Media Ltd

Project
Aytoun Street Car Park

Description
Front Elevation

Scale
Planning

Scale	Orientation
1:200 @ A1	CP
Job number	Drawing number
3037	04 C
Date	Revision
Sep 21	

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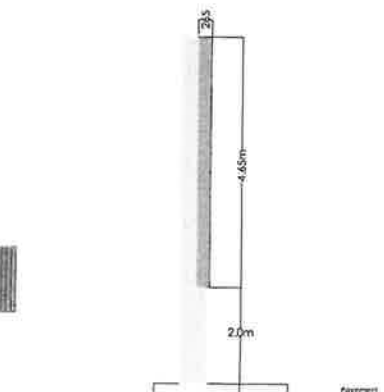
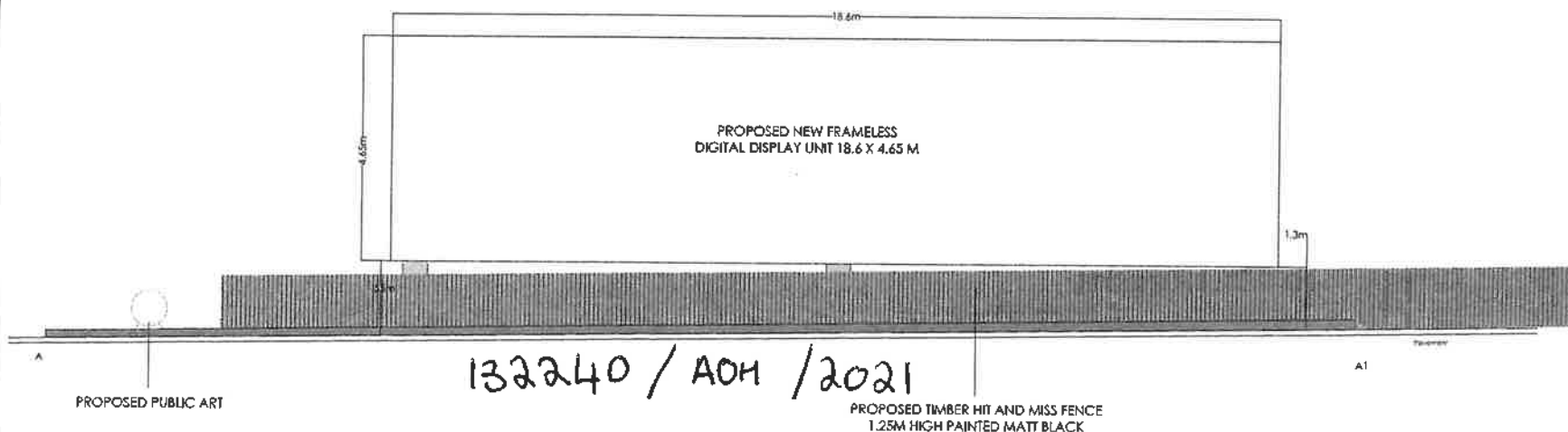
All levels and dimensions to be checked on site by the contractor prior to commencement. Any variations to be reported to the client. This drawing is to be used in conjunction with all other drawings in the project and all information is to be confirmed with the client. Any anomalies to be reported to the client. Do not scale from this drawing. Use figures wherever possible. This drawing is to be used in conjunction with all other drawings in the project and all information is to be confirmed with the client. Do not scale from this drawing. Use figures wherever possible.

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PROPOSED DISPLAY PANEL
FRONT SECTION- ELEVATION

EXTRACT FROM DRAWING 05D
SCALE 1:100

PROPOSED DISPLAY PANEL
SIDE SECTION- ELEVATION

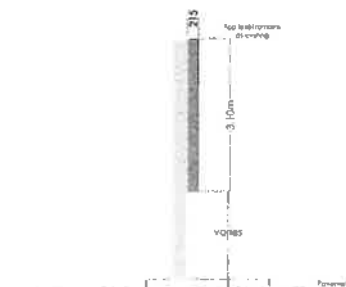
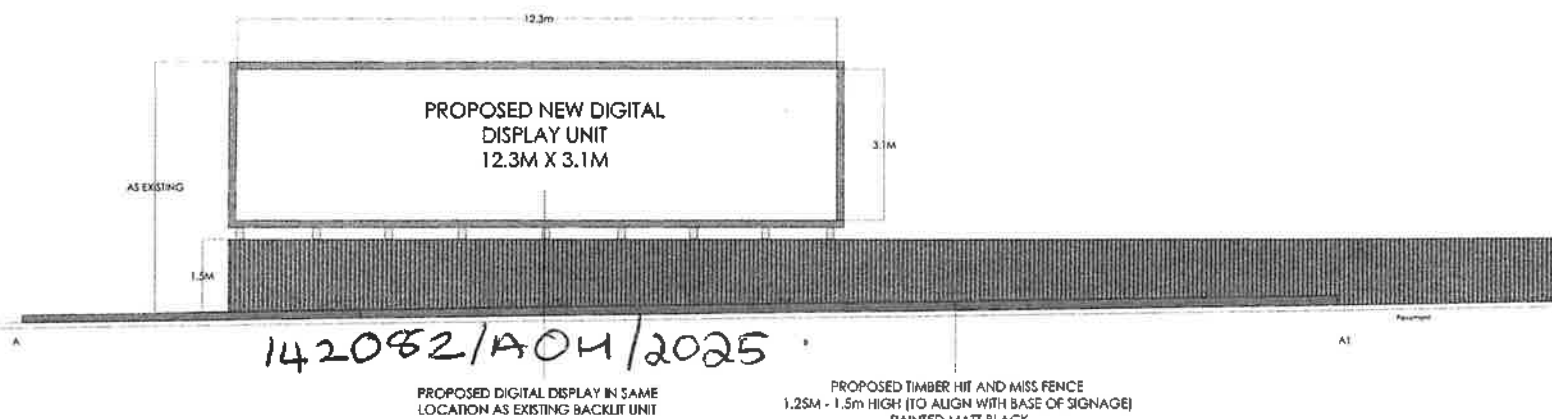


Revision C 09/07/21 - Display Type updated.
Revised to 1.25m high - Dimension for public art

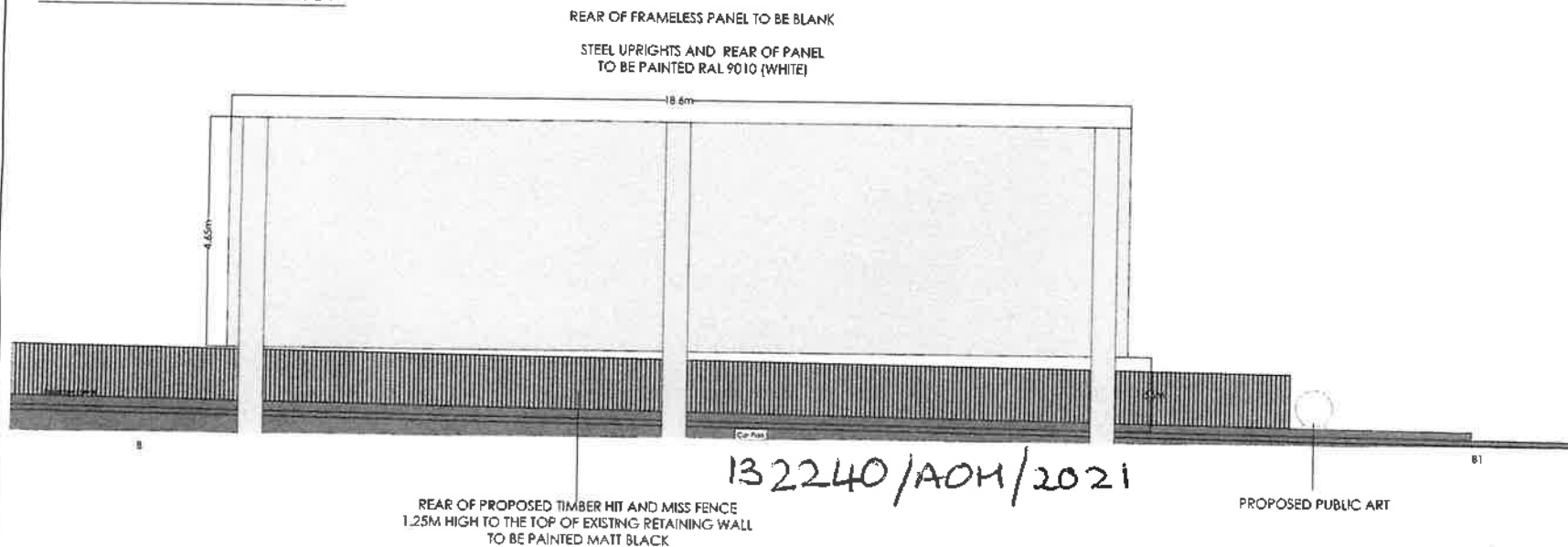
PROPOSED DISPLAY PANEL
FRONT SECTION- ELEVATION
SCALE 1:50

EXTRACT FROM DRAWING 05F
SCALE 1:100

PROPOSED DISPLAY PANEL
SIDE SECTION- ELEVATION



PROPOSED DISPLAY PANEL
REAR SECTION - ELEVATION



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Client:
Vivid Outdoor Media Ltd
Project:
Aytoun Street Car Park

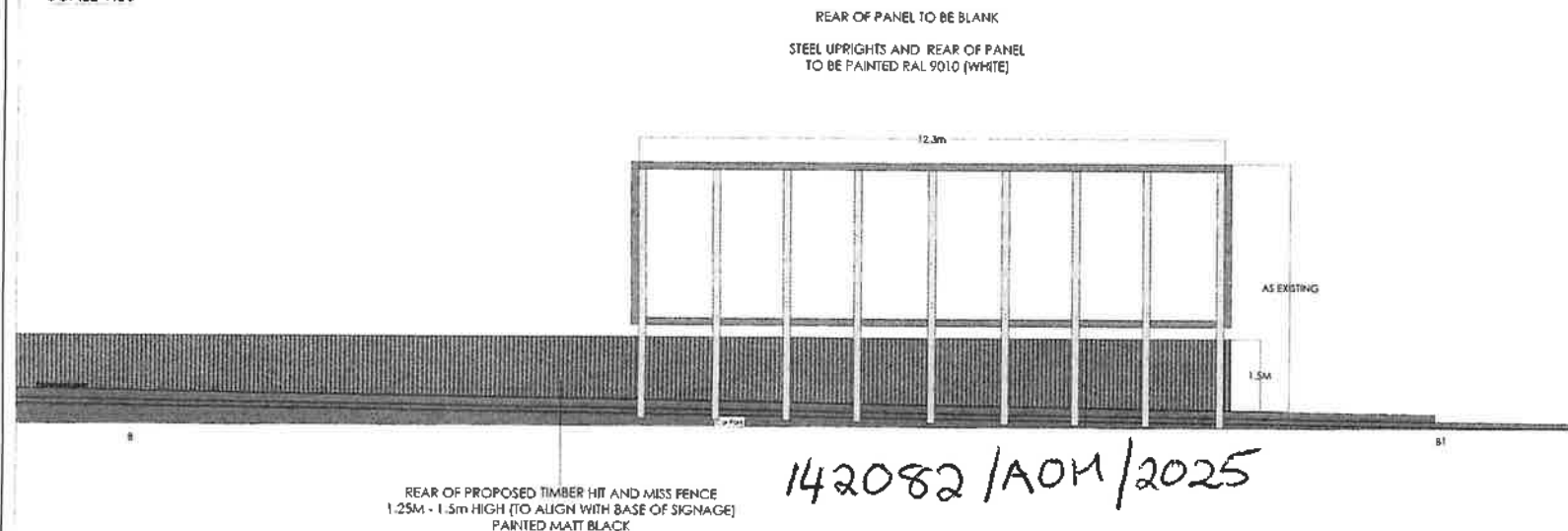
Discipline:
Proposed Display Dimensions

Scale:
Planning
1:100 @ A1 CP
3037 05 D Sep 21

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PROPOSED DISPLAY PANEL
REAR SECTION - ELEVATION
SCALE 1:50



DEP LANDSCAPE ARCHITECTURE LTD
1 COMMERCIAL STREET, MANCHESTER
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T: 0161 2419878
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Client:
Vivid Outdoor Media Ltd
Project:
Aytoun Street Car Park

Discipline:
Proposed Display Dimensions

Scale:
Planning
1:100 @ A1 CP
3037 05 Apr 24 F

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APPENDIX

J

**APPEAL DECISIONS REFERRED
TO BY THE COUNCIL**

Appeal Decision

Site visit made on 10 January 2022

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

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

Decision date: 9 February 2023

Appeal Ref: APP/B4215/Z/22/3305629

The corner of London Road and Store Street, Manchester M1 2PF

- 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 Network Rail against the decision of Manchester City Council.
 - The application Ref 133244/AOH/2022, dated 15 March 2022, was refused by notice dated 28 June 2022.
 - The advertisement proposed is 48 sheet LED digital billboard.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers to the National Planning Policy Framework's (the Framework) policy on balancing any less than substantial harm to a heritage asset's significance with any public benefits. In response the appellant has described what they consider to be public benefits of the proposal. However, whilst I have taken any matters relevant to amenity into account, this is not relevant to this appeal under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) as that Framework policy only applies to the heritage-related consent regimes under the Planning (Listed Buildings and Conservation Areas) Act 1990¹.
3. Any disagreement about the legal status of the existing advertisement is a matter for the main parties and it is not an issue for me to reach a finding on its lawfulness in determining this appeal for a proposed advertisement. The reason for refusal does not indicate that public safety would be harmed.

Main Issue

4. Therefore, the main issue raised by this appeal is the effect the proposal would have on amenity, having regard to the grade II listed status of the Piccadilly Station Trainshed and Undercroft on which it would be situated and the setting of the grade II* listed London Road Police and Fire Station.

Reasons

Effect on amenity, including Piccadilly Station Trainshed and Undercroft

5. The proposed sign would occupy a prominent location on the corner of Store Street at the point at which it enters a tunnel underneath the railway station

¹ Framework paragraph 189, footnote 67.

concourse. The listed building is a large and complex structure. The advertisement would be seen against the backdrop of the Western Undercroft's brick retaining walls and in the context of the brick pier and rounded arch close by around the corner, mentioned in the list entry. The hoarding would cover up part of the retaining wall where it is most visible under the metal overbridge and outside the darker vaulted tunnel section.

6. Notwithstanding the large scale of the Undercroft element of the listed building, by occupying a significant part of the height of the wall between footway and overbridge it would appear out of scale with that part of the building. Its conspicuous situation within the cityscape would render it a discordant feature. Although it would not cover or obscure the particular architectural details cited in the list description, it would add an intrusive feature adjacent to the more articulated elements on the London Road frontage which would be visible together with the advertisement from across the road.
7. Even though the Undercroft's external appearance is distinct from that of the Trainshed above, part of the significance of the listed building is derived from the massive and relatively unadorned form of the Undercroft element where it presents solid walls to surrounding streets. The proposal's size, materials, appearance and situation on the listed building would result in a harmful contrast to the appearance of the plain and robust engineering and architecture of that part of the listed building and hence amenity.
8. Whilst the site's surroundings have a busy, commercial city centre character, on a busy street with tramline, large commercial hoardings are not an overly conspicuous part of that character where signage is typically more restrained. Its immediate locality on the east side of London Road is one with important historic, architectural and cultural features, and the advertisement would not be in scale or in keeping with those features. In this context the proposal's effects would also harm the amenity of the area.
9. Whilst its situation means that it would not be visible from that part of London Road and its surroundings beyond the tunnel entrance to the south, this would not affect the visual intrusion experienced from the north part of that street.
10. I have taken into account Core Strategy² Policies CC 9, DM 1 and SP 1. Together, and amongst other requirements, these seek to preserve or enhance the City's listed buildings, have regard to siting, scale, form and appearance, and create well designed places that enhance or create character. I have also taken into account saved UDP³ Policies DC15.1, DC15.2 and DC19.1 which, amongst other criteria, seeks unobtrusive, in scale advertisements which do not harm a building's architectural features, and avoiding adverse effects on listed buildings' architectural and historic character. Given that I have concluded that the advertisement would harm amenity, the proposal would conflict with these policies.
11. However, Core Strategy Policies EN 1's and EN 3's specific City Centre Character Area and heritage development requirements are less pertinent to this proposal. As the site is not in a conservation area, UDP Policy DC18.1, and the highlighted paragraphs in the Guide to Development⁴, are not applicable.

² Manchester's Local Development Framework - Core Strategy Development Plan Document, 2012.

³ The Manchester Plan – The Unitary Development Plan for the City of Manchester, 1995.

⁴ Guide to Development in Manchester Supplementary Planning Document and Planning Guidance, 2007.

12. I have taken into account the relevant factor that the Framework⁵ recognises that the quality and character of places can suffer when advertisements are poorly sited and designed, and that would be the case with this proposal.

Existing hoarding on site

13. Although the Council's delegated report makes generalised reference to enforcement options, there is no information before me that they have served, or intend to serve, a discontinuance notice in respect of the existing externally illuminated hoarding that occupies the site. Nor is there any indication that there is a reasonable likelihood that it would be removed. The existing advertisement on the site is therefore a consideration that carries some weight in support of the proposal given the similarity in situation and size between existing and proposed.
14. Many of the adverse effects on visual amenity that would occur with the proposal would be shared with the existing sign on the site. The proposal would consequently have a neutral effect in those particular respects given its presence. However, the appearance of both the advertisements that would be displayed and the hoarding structure itself would be materially different.
15. The current arrangement displays paper advertisements externally illuminated by downlights. The differences would be particularly due to the qualities of the paper material and the distinct effect of the lighting which washes down the sign. By contrast the proposed LED sign would have a constant and consistent illumination with a more strident appearance that would catch the eye in a more noticeable manner in both daylight and hours of darkness.
16. The existing hoarding is situated relatively flush to the wall. The proposal would consist of a materially more substantial construction which would project farther from the wall and be noticeably more bulky and prominent from the sides, which in turn would have a more pronounced visual effect. These effects would have a harmful effect on amenity both in terms of the appearance of the listed building and its appearance within the streetscape.
17. Therefore, whilst the existing arrangement shares many of the proposal's harmful effects, they are not so all encompassing and extensive as to make the proposal acceptable in its context. Any advantages in terms of maintenance and management the proposal may have would largely be benefits for the operator given the maintenance and amenity requirements of the standard condition that any grant of express consent would be subject to⁶.

London Road Police and Fire Station

18. The proposed advertisement would not be visible from the handsome and imposing Edwardian listed building itself. It would be visible in limited views of the listed building from farther up London Road and framed views from the exit from Store Street. This is part of the sensitive townscape setting in which that building's significance can be appreciated and understood. However, unlike its effect on the listed Station complex, the presence of the existing sign would result in the setting, and hence significance, of the Police and Fire Station being effectively preserved by the proposal. In this particular respect, amenity would

⁵ Paragraph 136.

⁶ Schedule 2, paragraph 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

not be materially harmed, albeit this would not alter the findings of harm above.

Piccadilly Central regeneration

19. The Manchester Piccadilly Strategic Regeneration Framework (SRF) establishes a vision and guiding principles for the redevelopment of the station and its environs, but the Council have not directed me to any specific proposals associated with the vicinity of the advertisement. Although they refer to a proposed boulevard, the SRF shows this meeting London Road/Piccadilly some way to the north of the site. Furthermore, in the absence of detailed proposals it is not possible to conclude how the advertisement's adverse effect on amenity now would necessarily adversely affect the implementation of the regeneration scheme in the future. In any event the Regulations and Framework make it clear that advertisements should be subject to control only in the interests of amenity and public safety. Therefore, this does not carry any weight against the proposal.

Removal of advertisement hoarding opposite

20. The proposal includes the removal of a similar advertisement hoarding on the opposite side of Store Street. However, there is no mechanism before me that would secure its removal, make good that site or prevent reinstallation of other signage in the future. Furthermore, I have only very limited information about that advertisement's ownership, planning status and the Council's attitude towards it. I have considered whether its removal could be achieved by way of a negatively worded condition. However, there is insufficient information before me to conclude that such a condition would meet the Framework tests⁷. Consequently, this element of the scheme cannot carry any weight in support of the proposal in the circumstances.

Other matters

21. The applicant has referred me to a number of other advertisements in support of their appeal. The pair of hoardings on the corner of Fairfield Street are free standing and have a different relationship to historic railway structures to that of the proposal. I noted the hoarding affixed to the Undercroft wall opposite Whitworth Street. Given its angle of projection from the wall there are few vantage points where displays on both that and the proposed sign would be seen together and it has not created a situation where there is a prevalence of such signage in the vicinity. Notably, this did not appear to be an illuminated hoarding, unlike the proposal. In any event I have no information about its status and its presence would not alter the effects of the proposed sign.
22. The LED advertisement on the corner of Dulcie Street has a very different setting against a predominantly glazed post war building. Similarly, the sign farther along London Road is adjacent to a motorway flyover in a location where modern buildings appear as isolated structures rather than a contiguous streetscape.
23. As well as being some distance from the city centre, those on Waterloo Road would be in a very different setting adjacent to screening to an industrial area. The sign across Mancunian Way bridges a dual carriage way in a cutting and the Deansgate Interchange sign is located on a traffic island with a backdrop of

⁷ Paragraph 56.

C20 tower blocks. None of these other examples are comparable to the site and situation proposed, none are affixed to historic buildings and, having considered the proposal on its own merits, they do not lead me to conclude that the proposal would be otherwise acceptable.

24. Indeed, the appearance of the LED displays on the Dulcie Street and London Road billboards illustrate the differences in visual qualities of LED displays compared to that of the existing hoarding on site.
25. Proposed measures to limit levels of illumination, avoid moving images, ensuring instantaneous display changes and a minimum length of image display would not alleviate the harm that would arise to amenity.

Conclusion

26. For the above reasons, the proposal would harm amenity and the appeal is therefore dismissed.

Geoff Underwood

INSPECTOR



Appeal Decision

Site visit made on 6 October 2020

by Robert Hitchcock BSc DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2020

Appeal Ref: APP/B4215/Z/20/3257260

Land at 110-114 Cheetham Hill Road, Manchester M4 4FG

- 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 Vivid Outdoor Media Limited against the decision of Manchester City Council.
 - The application Ref 127006/AO/2020, dated 21 May 2020, was refused by notice dated 22 July 2020.
 - The advertisement proposed is the replacement of 2 no. existing illuminated 48-sheet advertisement displays with 2 no. illuminated 48-sheet digital advertisement displays.
-

Decision

1. The appeal is dismissed.

Background and Main Issue

2. Express Advertisement Consent was granted for the existing hoardings on 13 February 2007 for a period of 2 years. According to the appellant the hoardings have continued to be displayed without consent for a period of more than 10 years. Thus, it is claimed that the hoardings now benefit from Deemed Consent under the terms of Class 13 of Schedule 3 of the Regulations. Whilst it is not for me to determine the lawfulness, or otherwise, of the existing displays, the appellant has provided me with evidence of communication with the Council in this respect and I am therefore content that it was aware of the considered status at the time of reaching their decision. The Council's report indicates that it has considered the proposal as replacements for the existing hoardings. I therefore consider no party will be prejudiced by my consideration of the appeal on the same grounds.
3. The main issue is the effect of the development on the visual amenity of the locality, including the setting of St Chads Church, a Grade II listed building.

Reasons

4. The site is a corner plot at the junction of St Chad's Street with Cheetham Hill Road (A665), a busy 4-lane radial route close to the city centre ring road and linking it to outlying areas of northern Manchester. This part of Cheetham Hill Road is predominantly commercial in nature and includes mixed age buildings of varying architectural merit and scale. Consequently, the locality has a high level of signage which, for the most part, is of a more modest scale than the hoardings on the appeal site, however, other hoardings of various sizes and display type are present along the main road.
5. The proposal would retain almost identical areas of display to the existing hoardings which are capable of internal illumination. The advertisements would

rely on the same, or similar, supporting framework such that their scale and position in the streetscene would be substantially as the existing arrangement. A previous appeal decision¹ on the site found that these displays would be commensurate with the scale of their surroundings and, having visited the site, I find no reason to disagree with that assessment.

6. The significant changes would arise from the use of LED displays and a capability to regularly scroll through individual static images up to a frequency of one every 10 seconds. Although the displays would be slimmer and appear more modern than their existing counterparts, the combined effects of the generally brighter and vivid images, when taken with the 'movement' of the changing individual displays, would cause them to be more obtrusive and increase their visual prominence in comparison to the existing hoardings.
7. Whilst this effect would be tempered to a degree by controlled limitation of the brightness of the displays and, during darker hours, by the street lighting and other local sources of illumination, they would become a more intrusive element in the streetscene. This effect would occur at all times of the day but be considerably greater during darkness hours on account of the relatively exposed position on an unlit site bordered by open spaces at the sides and rear.
8. Furthermore, the proximity of the signs to the church would ensure that they feature significantly in the main views of that building and, as they are intended to do, would draw the eye. Although Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 does not apply to applications for Advertisement Consent the effect on the listed building is material to consideration of the effects of the visual amenity. The scale of the hoardings and images on display, the illumination and frequency of changing pictures would detract significantly from the setting and visual experience of the listed building.
9. In combination, I find that the effects of the new display characteristics and the impacts on the setting of the listed building would cause significant harm to the visual amenity of the locality.
10. In support of the appeal the appellant refers to the acceptance of the principle of other examples of digital displays within the city supported by the Council. This includes a specific case at 143 Cheetham Hill Road. Whilst that example would lie close by, its circumstances differ in that it is a single display and is set against the backdrop of a building. Furthermore, the limited evidence provided does not suggest it lies within the close setting of a listed building. It is not therefore directly comparable to the case before me, a case I have considered on its own merits.
11. The appellant also states that the effect on the listed building remains unchanged. Notwithstanding my conclusion above, I note that the original grant of Express Consent was time limited on account that the harm identified to the setting of the listed building would be inappropriate over a longer period. In that instance, the concession to grant consent was predicated on the effects of other benefits accruing from the improvement of the wider corner site awaiting potential redevelopment. However, I find no evidence before me that the condition of the site would be prejudiced by my decision. According to the

¹ APP/B4215/H/06/1200355

appellant, the site benefits from a fallback position for the display of adverts such that continued display might occur. As such, the circumstances which were previously considered to outweigh the harm to the setting of the church attract negligible weight in this instance.

12. Moreover, the claimed lawfulness of the existing advertisements, which were anticipated to cause harm to local amenity, would not provide a sound justification to permit advertising that I have found would cause greater harm.

Other Matters

13. As a fallback position is deemed to exist there is no prejudice to the ongoing display of advertisements at the site such that the economic benefits for the site operator and owner would be diminished. Although potential environmental benefits of the proposal might accrue through reduction of waste, the use of energy and resource efficient lighting and reduced visits to the site, I do not consider that those benefits would outweigh the harm to visual amenity that would arise in the locality.

Conclusion

14. I therefore conclude that the proposal would cause significant harm to the visual amenity of the locality due to the changes to the nature of the display and ability to successively change images.
15. I have regard to Policies EN1, EN3, SP1 and DM1 of Manchester's Local Development Framework Core Strategy Development Plan Document (2012) and saved Policies DC15, DC19 and E3.3 of The Manchester Plan Unitary Development Plan 1995 as referred to by the Council and as they seek to protect amenity, together with paragraph 132 of The National Planning Policy Framework. Having found that the proposal would cause harm to local amenity, the proposal conflicts with those policies.
16. For the above reasons, the appeal should be dismissed.

R Hitchcock

INSPECTOR



Appeal Decision

Site visit made on 17 January 2024

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 FEBRUARY 2024

Appeal Ref: APP/B4215/Z/23/3329390

Land at 176-182 Oldham Road, Manchester M4 6BQ

- 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 Wildstone Group Limited against the decision of Manchester City Council.
 - The application Ref 137288/AOH/2023, dated 6 June 2023, was refused by notice dated 28 July 2023.
 - The advertisement proposed is update of advertisement site to display a D-poster advertising display.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. In accordance with the Regulations¹, and the Planning Practice Guidance, I have considered solely matters of amenity and public safety.

Main Issue

3. The Council does not raise concerns in relation to the effects of the proposal on public safety and I have no reason to find otherwise on the basis of the evidence before me and my observations on site. Therefore, the main issue is the effect of the proposal on the amenity of the area, including the Ancoats Conservation Area.

Reasons

4. The appeal proposal relates to land at the frontage of a car sales premises on Oldham Road (the A62), which is a busy main road leading into and out of Manchester City Centre. The surrounding area is of mixed character, with a variety of business premises along this stretch of Oldham Road and a Royal Mail sorting and delivery office on the opposite side of the road. A modern five storey building has been constructed adjacent to the site which is in commercial use at ground floor with flats above.
5. The site is within the Ancoats Conservation Area (the CA) which comprises a large and diverse area. I consider that the CA derives its significance from the commercial and industrial history of the area which is reflected in the distinctive street pattern and varied built form, which includes large cotton mills located adjacent to the Rochdale Canal, and associated workers' housing. These features contribute positively to the character and appearance of the CA.

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

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 CA.

6. The proposed advertisement would be a freestanding internally illuminated digital screen which would display static images that would be capable of changing every ten seconds. It would be positioned in a large gap between the buildings on this side of Oldham Road, at an angle relative to the highway, and adjacent to two existing freestanding advertisements. In this location, the proposal would be seen by those travelling in a north easterly direction.
7. Due to its slightly smaller size, the appellant considers that the proposal would appear less prominent than an existing advertisement which had been on the site for ten years and benefitted from deemed consent under Class 3 of the Regulations. However, that advertisement had been removed prior to my site visit and it does not, therefore, provide compelling justification for the appeal proposal. Moreover, the proposed digital display would render the proposal brighter and sharper and, with images changing at frequent intervals, it would be more eye catching than the previous display which did not feature such digital illumination.
8. The steelwork, framing and cladding for the supporting structure would not necessarily be low quality provided they are well maintained. Given that there had been an advertisement display in this location for some time, the proposal would not add to a sense of visual clutter. Nevertheless, the advertisement would be a highly dominant and incongruous feature due to its significant size, height above ground and proximity to the highway.
9. The appellant considers that the reasons for dismissal of the previous appeal² on this site are no longer relevant due to its altered surroundings. However, other than the construction of the adjacent mixed-use development, the setting and appearance of the surrounding area have not changed significantly. The new five storey building respects the characteristics of the CA, in particular in the way that it reflects the scale of other tall structures, such as the cotton mills, and it has incorporated part of the historic red brick façade of the building on the corner of Oldham Road and Poland Street.
10. I accept that the proposed advertisement would be subservient to the nearby five storey building. I also acknowledge that the proposal would be located adjacent to the car dealership which features palisade fencing and double stacked office units. Nevertheless, at road level the proposal would be a dominant feature and a highly prominent addition to the street scene in this notable gap in the road frontage.
11. The appellant asserts that the proposal would face away from the CA and would not impact upon those features the CA seeks to preserve or enhance, such as the cotton mills and workers' housing. However, the street pattern and built form surrounding the site broadly complement the CA, including the nearby traditional red brick buildings on Oldham Road which are very characteristic of the CA. The scale of the proposal and method of illumination are such that it would be an incongruous feature whose prominence would lead to unacceptable harm to the visual amenity of the area. It would be visible for a significant distance along Oldham Road and would be viewed partly in the

² Appeal ref. APP/B4215/Z/18/3195390

context of the more traditional buildings. Consequently, the proposal would be unsympathetic to the character of the CA.

12. Reference has been made to an existing digital display on Council owned land on the corner of Oldham Road and Butler Street, but that site is a reasonable distance away from the appeal site with a different surrounding context and it is outside the boundary of the CA. Therefore, it is not directly comparable to the appeal proposal. Indeed, during my site visit I did not observe any other large digital advertisements within this part of the CA.
13. The appellant has provided photographs of other digital advertisements elsewhere and refers to an appeal decision for an advertisement in another location in Manchester. Based on the details that have been provided I cannot be certain that they offer a direct comparison to the appeal proposal or its site-specific context. In any case, I have considered the appeal on its own merits.
14. The appellant's suggested conditions, including controls on the maximum luminance of the sign and frequency of changes between adverts, would not sufficiently mitigate the harm that I have identified. Switching off the illumination between 11pm and 6am means that the proposal would still be illuminated during some of the hours of darkness, particularly during the winter months, and would not overcome my concerns.
15. The Council has referred to a conflict with the aims of the Poland Street Zone NDF which seeks to promote the regeneration of this part of Ancoats. However, the Regulations require that the display of advertisements be controlled in the interests of amenity and public safety. Therefore, the effect of the proposal on the regeneration of the area has not been a determinative issue in this appeal.
16. For the above reasons, I conclude that the proposal would harm the amenity of the area and it would neither preserve nor enhance the character or appearance of the CA. In accordance with the Regulations, I have taken into account the provisions of the development plan so far as they are material. The proposal would conflict with the aims of Policies EN1, EN3, DM1 and SP1 of the Core Strategy for the City of Manchester (2012) and Saved Policies DC15, DC18 and E3.3 of the Unitary Development Plan (1995) where these seek to protect amenity and heritage. It would also not comply with the aims of the National Planning Policy Framework to achieve well-designed and beautiful places and conserve and enhance the historic environment.

Conclusion

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

M Ollerenshaw

INSPECTOR

APPENDIX

K

APPEAL DECISION
APP/B4215/H/14/2222948

Appeal Decision

Site visit made on 28 October 2014

by Victoria Lucas-Gosnold LLB MCD MRTPI

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

Decision date: 3 November 2014

Appeal Ref: APP/B4215/H/14/2222948

Dawson Street, Hulme, Manchester, M15 4LG

- 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 Vivid Outdoor Media Ltd against the decision of Manchester City Council.
 - The application Ref 105529/AOH/2014/C1, dated 23 April 2014, was refused by notice dated 20 June 2014.
 - The advertisement proposed is proposed upgrade of 1 x 48-sheet LED advertising display unit with 1 x 48-sheet LED Digital advertising display unit.
-

Decision

1. The appeal is allowed and consent is granted for the upgrade of 1 x 48-sheet LED advertising display unit with 1 x 48-sheet LED Digital advertising display unit as applied for. The consent is for ten years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) No individual advertisements displayed on the LED panel shall contain moving images, animation, videos or full motion images or any images that resemble road signs or traffic signs.
 - 2) No individual advertisements shall be displayed for a duration of less than 8 seconds.
 - 3) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel.

Main Issue

2. The main issue is the visual impact of the advertisement at the site and within the surrounding area, with particular regard to the Castlefield Conservation Area and the Grade II Listed Railway Viaduct.

Reasons

3. The appeal site comprises a large brick built, supporting column between two wide arches which form part of the Grade II Listed Railway Viaduct. The Viaduct is a substantial structure and visually dominates both the immediate area and more distant views. The appeal site is also within the Castlefield Conservation Area (CA).

4. The site is located immediately next to Dawson Street (the A57) which serves as a main arterial transport route into and out of Manchester city centre. The A57 is a busy, three lane highway which passes under the Viaduct and there are several highway features including directional signs, overhead gantrys and tall street light columns close to the site. Buildings in the area comprise both historic and more recent development but are generally of a large scale, such as the modern apartment blocks on the opposite side of the street and the red brick mill on the other side of the Viaduct from the appeal site. There are some trees located close to the appeal site along Potato Wharf but these are set back from the highway behind a grassed area.
5. The character of the area is therefore defined by that of a busy commercial area, located close to the city centre. This is also true of the Grade II Listed Viaduct in that whilst its large scale visually dominates the area, its setting is also defined by the built fabric of a vibrant, commercial city which continues to evolve around it over time and comprises both historic and modern development.
6. There is an existing poster board advert displayed at the appeal site which I understand has deemed consent. It is located flush with the large brick supporting column of the Viaduct. It is approximately 6 metres wide and 3 metres high and is internally lit. The advert sits relatively centrally between two of the Viaduct's arches. Whilst I accept that the width of the advert does obscure some limited views of the Viaduct's column, the height of the Viaduct is such that the advert is not seen as unduly out of scale when viewed against the substantial backdrop of the Viaduct's overall structure.
7. As the size, scale and location of the advert currently in situ at the appeal site represents the existing situation, I must have regard to it when assessing the appeal scheme before me in relation to the main issue which I have identified above.
8. The submitted plans show that the appeal proposal would be the same length and width as the existing advert. It would also be internally lit, which is also the case with the existing advert.
9. Given that the proposal would be positioned in the same location as the existing advert, the only view that it would partially obstruct would be that of the Viaduct's column and part of the adjacent arch. In this respect, it would be no more poorly placed than the existing advert which, as described above, is largely absorbed into the appearance of the Viaduct as a result of the substantial height and massive scale of that structure. The proposal would therefore preserve the setting of the Listed Viaduct in that there would be little appreciable difference when compared with the existing situation. For the same reasons, the proposal would also preserve the character or appearance of the CA.
10. Although the Council have referred to the proposed advert obstructing views of trees, modern high quality development and other Listed buildings in the area (including the Grade II Listed Worsley Mill and the Grade II* Listed St Georges Church), it is difficult to see how that would be so. This is because the trees are set back from the highway and are not placed in front of the appeal site and, as previously stated, the proposed advert would be situated flush against the brick elevation of the Viaduct. Therefore, the extent to which any views of other buildings in the area are obstructed is as a result of the Viaduct itself rather than the proposed advert. Whilst there may be low level industrial buildings in the area,

they do not form part of the close context of the appeal site, which is defined by the massive scale of the Viaduct.

11. Taking into account the existing advert at the site, I consider that the proposal would not lead to an increase in visual clutter as it would not be materially different to the existing situation. This is also because there is already a degree of visual clutter in the area, such as highway signs, that one would expect to find within a busy city environment.
12. I accept that at the time of the original application, the appellant may not have considered the impact of the proposal on the relevant heritage assets, in line with requirements set out in the National Planning Policy Framework (the 'Framework'). However, paragraph 128 of the Framework also states, among other things, that the level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Given that the proposal sought to replace an existing advert with one of similar proportions in the same location, it would not have been reasonable to expect an extensive heritage appraisal in this regard.
13. Drawing matters together, the proposed advertisement would be seen within the context of the busy commercial environment in which it would be situated. Additionally, taking account of the existing advert, it would not be materially different to the existing situation. For these reasons, I conclude that the advert proposed would not be unduly harmful to the visual amenity of the area, with particular regard to the CA and the Grade II Listed Railway Viaduct.
14. 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 and guidance which the Council have referred to, including policies EN1, CC1, C1, CC9, EN3, DM1, SP1 of the Council's Core Strategy (Adopted July 2012); the 'Guide to Development in Manchester' Supplementary Planning Document (paragraphs 2.6 and 11.45; saved policies E3.3, DC15.1, DC15.2, and DC18.1, DC19 of the Council's Unitary Development Plan (Adopted July 1995); and also sections 7 and 12 of the Framework; they have not been a decisive consideration in reaching my decision.

Conditions and Conclusion

15. For the reasons given above, I conclude that the appeal should be allowed.
16. I shall impose the five standard conditions set out in the Regulations. Additionally, I have specified in the formal decision that the period of consent is for ten years as that is the period specified on the original application. The highway authority have requested that conditions are imposed to control images displayed in that they should not resemble road or traffic signs, that no individual advertisement should be displayed for less than 8 seconds and that controls are in place to ensure a smooth uninterrupted transition of images. As the advert would be sited next to a busy three lane arterial transport route, I shall therefore impose the conditions requested in the interests of highway safety.

Victoria Lucas-Gosnold

INSPECTOR