MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	140532/LO/2024
Date registered valid:	28 August 2024
Proposal:	Listed Building Consent for the painting of a mural for a temporary period of 24 months.
Address:	12 Piccadilly, Manchester, M1 3AN
Ward(s):	Piccadilly Ward
Applicant:	Phillip Hulme Global Street Art
Agent (if any):	Miss Vanessa Rowell Avison Young
Case officer:	Danielle Cooper Tel: 0161 234 1658 Email: danielle.cooper@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	**15/10/2024**

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 5 August 2024

Standard consultations:
Printed: 5 September 2024 Expired: 26 September 2024

Neighbour notifications
Printed: 5 September 2024 Expired: 26 September 2024

Site notice
Posted: 5 September 2024 Expired: 26 September 2024

Press advert
Published: 10 September 2024 Expired: 1 October 2024

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Grade II

Conservation area: N/A

Tree Preservation Order: N/A

Description of area

The site is occupied by a vacant 4 storey Grade II listed former Union Bank building at 12 Piccadilly and a cleared site bounded by temporary fencing.

The site is adjacent to the Stevenson Square Conservation Area whose boundary is immediately to the north.

Piccadilly is a key transport mode and one of the main gateways into the city for both business and leisure visitors arriving by car and public transport. The site is close to Piccadilly Station in an area that contains a mix of uses including hotels, residential, offices, shops, bars, restaurants and car parks.

The building has largely been vacant since Barcleys Bank vacated in 2006 and its condition has deteriorated. Planning consent has been granted for the erection of a 34 storey building within the cleared site adjacent the Grade II listed building under application ref: 137795/LO/2023 & 137794/FO/2023. Work is anticipated to commence in 2025.

Description of development

Listed building consent is sought for the painting of a mural on the side elevation of No. 12 Piccadilly for a period of 24 months.

The mural is to be painted on the southern elevation of the building and is an image from ‘Boy’s Own’ which shows famous English football players of 1881.

The mural will be painted across the previously painted areas of this elevation to avoid painting on exposed brickwork.

The mural is separated into two ain sections which join at the base of the elevation. The thinnest, western section of the mural extends to 18.75m in height and 2.92m in width at its widest point. The wider, eastern section of the mural extends to 17.45m in height and 13.28m in width at its widest point.

A sponsor plague is also proposed on the elevation which will be a width of 1189mm and have a height of 841mm. The QR code next to the plague will be a width of 841mm, with a height of 841mm.

Planning history

137794/FO/2023 - Erection of a 34 storey building (land at no. 14-16 Piccadilly) and conversion of adjacent building (no.12 Piccadilly) (basement to fourth floor) to create an aparthotel, including a ground floor cafe (Use Class E (b)), first floor exhibition hall (Use Class F1) and a rooftop bar and restaurant (Use Class E (b)), and associated works – Approved

137795/LO/2023 - Listed Building Consent for the external and internal alteration and refurbishment of no 12. Piccadilly to form aparthotel in association with the erection of a 34 storey building (land at no. 14-16 Piccadilly), including ground floor cafe (Use Class E (b)), first floor exhibition hall (Use Class F1) and a rooftop bar and restaurant (Use Class E (b)), and associated works Approved

140531/AOH/2024 - Painting of a mural for a temporary period of 24 months – Pending consideration

140873/FO/2024 - Erection of security fencing and gates – Pending consideration

Consultations & Notification Responses

The application was advertised by site notice, the press and neighbour notification letters. No representations have been received.

Policy

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 Manchester Core Strategy – Development Plan Document 2012 – 2027 (“the Core Strategy”) was adopted by the City Council on the 11th of July 2012:

- Policy SP1 – Spatial Principles
- Policy CC9 – Design and Heritage
- Policy EN1 – Design Principles and Strategic Character Areas
- Policy EN3 – Heritage
- Policy DM1 – Development Management

The Unitary Development Plan for Manchester – For the reasons outlined below the following saved UDP Policies are of relevance to this application:

- Policy DC18 – Conservation Areas
- Policy DC19 – Listed Buildings

Other Material Considerations

National Planning Policy Framework (NPPF)

- Chapter 12 – Achieving well-designed places
- Chapter 16 – Conserving and Enhancing the Historic Environment

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Practice Guidance (NPPG)

Places for Everyone

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester.

The following policies are considered relevant to this application.

Policy JP-P1 (Sustainable Places) aims to become one of the most liveable city regions in the world, consisting of a series of beautiful, healthy and varied places, each having the following key attributes that all development, wherever appropriate, should be distinctive, with a clear identity, visually stimulating, socially inclusive, resilient, adaptable, durable, resource efficient, safe, supported by critical infrastructure, functional and convenient, incorporating accessibility, legible easy to move around, well connected, comfortable and inviting, incorporating high quality and well managed green infrastructure and public realm, well served by local shops, services and amenities.

Policy JP-S1 (Sustainable Development) aims to help tackle climate change, development should aim to maximise its economic, social and environmental benefits simultaneously, minimise its adverse impacts, utilise sustainable construction techniques and actively seek opportunities to secure net gains across each of the different objectives. Preference will be given to using previously-developed (brownfield) land and vacant buildings to meet development needs. In bringing forward previously developed sites for development, particular attention will be paid to tackling land contamination and stability issues, ensuring that appropriate mitigation and remediation is implemented to enable sites to be brought back into use effectively.

Policy JP-P2 (Heritage) aims to proactively manage and work with partners to positively conserve, sustain and enhance its historic environment and heritage assets and their settings. Opportunities will be pursued to aid the promotion, enjoyment, understanding and interpretation of heritage assets, as a means of maximising wider public benefits

and reinforcing Greater Manchester's distinct identity and sense of place. The policy requires development proposals affecting a designated heritage asset (or an archaeological site of national importance) and a conservation area to conserve those elements which contribute to its significance including those identified in any conservation area appraisal as making a positive contribution to the area. Harm to such elements will only be permitted where this is clearly justified and outweighed by the public benefits of the proposal.

Issues

Principle of development

The existing side rendered gable to 12 Piccadilly is currently in need of repair and the proposed mural will help restore this elevation. As such, the LPA consider the principle of the temporary mural to be acceptable as it will cause limited harm to the heritage asset.

Impact on the heritage asset

The application is to paint a mural to the side rendered gable of 12 Piccadilly for a temporary period of 24 months.

The proposed mural and its installation is considered to be acceptable, having minimal impact on the character and appearance of the listed building. It is also noted that the mural will be a temporary addition for 24 months and as such its impact on the listed building will be reversible.

The mural presents a historic colour lithograph from ‘Boy’s Own’ entitled 2Famous Football Platers of 1881”. A plaque is also proposed at street level to provide information on the image. The gable contains natural stone which will not be painted over. The mural will be painted on using EU regulated spray paints which are permeable micro porous paints which is compatible with the historic fabric of the listed building as stated within the email provided by the agent on the 01/10/2024. Prior to the mural being painted, the wall will be stabilised due to its condition.

The LPA consider the historical image and the colour palette and tones to be acceptable as they do not appear to visually jar the character and appearance of the listed building. The mural will also create a focal point, adding visual interest to the Street Scene.

Given this context, the proposal is not considered to have any long-term impact on the visual amenity of the listed building and street scene and is as such acceptable on a temporary basis.

Conclusion

In view of the above, this application is considered acceptable, as the works are considered to cause a neutral impact on the heritage significance and will therefore conserve the listed building in accordance with policies SP1, CC9, EN1, EN3 and DM1 of the Manchester Core Strategy, saved UDP policies DC18 and DC19, Places for Everyone Plan policy JP-P2, and guidance within the National Planning Policy Framework and the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 polices 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 development 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: Approve

Article 35 Declaration

Officers have worked with the applicant/agent in a positive and proactive manner in determining this application by assessing the proposal against relevant planning policies and all material considerations, identifying matters of concern with the proposal and discussing those with the applicant/agent. In this instance negotiation has been able to successfully resolve the identified concerns and issues.

Condition(s) to be attached to decision for approval

1) (a)The permission hereby granted is for a limited period of 24 months, expiring on 15/10/2026
(b)The mural for which permission is hereby granted is required to be respectively removed and discontinued. The gable wall shall thereafter be reinstated in accordance with a scheme to be submitted to and approved in writing by the City Council local planning authority before this permission expires and in accordance with a timescale that has also been agreed in writing with the Local Planning Authority.

Reason - The mural hereby approved is of a temporary nature only and pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

THE LOCATION PLAN (Received 15/07/2024)
WALL TEMPLATE (Received 15/07/2024)

SITE MANAGEMENT AND MAINTENANCE STRATEGY (Received 10/10/2024)
PAINTING METHOD EMAIL (01/10/2024)

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to saved UDP policy DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Heritage & Urban Design

Starbucks At, Malmaison, Piccadilly, Manchester, M1 3AQ
Caxton Buildings, 3 Paton Street, Manchester, M1 2BA
First Floor, 91A Piccadilly, Manchester, M1 2DA
95 Piccadilly, Manchester, M1 2DA
6 - 10 Piccadilly, Manchester, M1 2DD
93 Piccadilly, Manchester, M1 2DA
Flat 9, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 6, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 4, Roby Court, 14 Roby Street, Manchester, M1 3AG
9 - 11 Paton Street, Manchester, M1 2BA
Flat 1, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat At, 12 Gore Street, Manchester, M1 3AQ
Flat At, 97 Piccadilly, Manchester, M1 2DB
91A Piccadilly, Manchester, M1 2DA
7 Chatham Street, Manchester, M1 3AY
The Manchester Abode Ltd, 107 Piccadilly, Manchester, M1 2DB
Roby Court, 14 Roby Street, Manchester, M1 3AG
Brunswick Chambers, 4 Paton Street, Manchester, M1 2BA
Malmaison, Piccadilly, Manchester, M1 3AQ
Flat 12, Roby Court, 14 Roby Street, Manchester, M1 3AG
97 Piccadilly, Manchester, M1 2DB
Flat 11, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 10, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 8, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 7, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 5, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 3, Roby Court, 14 Roby Street, Manchester, M1 3AG
Flat 2, Roby Court, 14 Roby Street, Manchester, M1 3AG
12 Gore Street, Manchester, M1 3AQ
5 Paton Street, Manchester, M1 2BA
89 - 91 Piccadilly, Manchester, M1 2DA
7 Paton Street, Manchester, M1 2BA

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