

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137296/AOH/2023

Date registered valid: 30 June 2023

Proposal: Installation of 2 x Temporary illuminated scaffold mounted banner adverts upon a fully working access scaffold upon Rylands Building, during its redevelopment.

Address: 109-127 Market Street, Manchester, M60 1TA

Ward(s): Piccadilly Ward

Applicant: Mr Mark Wilkinson Infinity Outdoor Ltd

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 7 August 2023

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 5 July 2023

Standard consultations:

Printed: 4 July 2023 Expired: 25 July 2023

Neighbour notifications

Printed: 4 July 2023 Expired: 25 July 2023

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

Listed building: Grade II

Conservation area: Smithfield Conservation Area 1987

Tree Preservation Order: Not applicable

Description of area

The application relates to the Rylands Building, which is located at 109-127 Market Street and is bounded by Market Street, Tib Street, High Street and Bridgewater Place. It is a Grade II Listed former textile warehouse, that has been used as a department store for a number of years and is currently vacant.

The Rylands Building was built in 1932 and was one of the City's last and largest textile warehouses. It has a steel frame with Portland stone cladding, and a large quadrilateral floorplate. It was designed in a Modernist Classical/Art Deco style. The building has 18 bays within a grid-iron rectilinear facade, with chamfered piers and enriched panels between floors. The facades have 6-pane windows, a high parapet, broad and emphatic canted corner turrets with 4-storey windows and arcaded drums with sloped rooves. It contained the head office for Rylands & Sons and was the flagship building for a long-established Manchester company.

The building was used as a department building from 1958 to 2022 by Debenhams. Investigations into the condition of the building are proposed to start this year in order to inform the works that were approved within applications referenced 127881/FO/2020 and 127882/LO/2020.

These applications were approved on 26 January 2021 and allowed development comprising erection of four storey roof-top extension (for use within Class E (Commercial, Business and Service Uses); for use of floors 1-7 for use within Class E (Commercial, Business and Service

Uses) and change of use of the basement and ground floor to permit Use Class E (Commercial, Business and Service Uses) and Drinking Establishments and Hot Food Takeaway (Sui Generis) use, external works associated with the formation of new ground floor entrances, sub-division of the ground floor into 9 units; works to windows including replacements, creation of winter gardens on the 6th floor; creation of external roof top amenity spaces; installation of new rooftop plant; the provision of secure cycle parking (255 spaces) in sub-basement and other associated works.

Other surrounding listed buildings include the Grade II listed 1 Piccadilly, which is adjacent. There are also non-designated heritage assets in the area particularly the former Lewis' Department store now occupied by Primark. The site is within Smithfield Conservation Area and is opposite the Upper King Street extension Conservation Area.

Surrounding uses include the Arndale Centre, shops, hotels, offices, bars, restaurants, and cafés. Piccadilly Gardens is also close by.

Description of development

Advertising consent is sought for the display of advertising on two UPVC banner mesh scaffold mounted banners both measuring 17 metres (H) x 14 metres (W) that would be attached to the scaffold located on the elevation of the building at the corners of High Street/Market Street and Tib Street/Market Street for a period from 29th August 2023 to 24th November 2023. Lighting units would be attached to the scaffolding to illuminate the advertisement. Luminance levels would not exceed 300cdm² during non-daylight hours and lights would be set to be switched off between the hours of 23:00 and 07:00. The banner would be displayed during the investigation works described above.

Consultations & Notification Responses

Highway Services - Confirmed no objection

Environmental Health - Recommended a condition to restrict light levels and stated that they can accept the illumination level proposed (300 cd/mc²) and the hours of 07:00 to 23:00.

Transport For Greater Manchester - Confirmed no objection

Publicity - A letter was sent to surrounding occupiers - no responses have been received.

Issues

The main issues for consideration relate to the impact of the advertisement on visual amenity and the character and appearance of the listed building, surrounding listed buildings and non-designated heritage assets, and the Smithfield and Upper King Street Conservation Area. The main policies that relate to the proposals are Sections 12 (Achieving Well Designed Places) and 16 (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), CC10 (A Place for Everyone), SP1 (Spatial Principles) and DM1 (Development Management) of the Adopted Core Strategy for the City of Manchester, paragraphs 2.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), DC18.1 (Conservation Areas) and DC19.1 (Listed Buildings) of the Unitary Development Plan for the City of Manchester.

Visual amenity, including the impact on heritage assets -

The advertisement would affect the setting of the listed building subject of this application, the nearby listed buildings and non-designated heritage assets and the conservation areas. The proposed scaffold wrap would cause a low level of harm to the character and appearance of these heritage assets due to its intrusive albeit temporary appearance, which is emphasised by the illumination of the advertisement. The advertisements displayed would also be substantially different to a plain shroud and to the elevation of the building.

This harm is justified by the money that would be generated for the refurbishment of the building. The effects would also be temporary and in association with legitimate works to the building.

Hoardings of the nature proposed are only generally acceptable if they are associated with legitimate works to a site or building. The rationale being that the temporary banners will give the building a more attractive appearance within the street scene than the scaffolding alone would. Display of advertisements on scaffolding can cause unnecessary continued use of scaffolding and this has a negative impact on visual amenity as well as affecting pedestrian access including for disabled people.

This particular advertisement is supported by a programme and signed contract and would be related to the works to prepare the building for development and so is associated with legitimate works to the building.

The applicant has sought consent to display the advertisement until 31st December 2024, but the programme that they have submitted doesn't include any relevant works after July 2024 so the consent will be restricted to 11 months.

In this context it is therefore considered that the proposed hoarding would relate to legitimate works to the building and would relate properly to the site on which it would stand and that on a temporary basis of 11 months the location of the proposed scaffold wrap displaying advertisements and its impact upon visual amenity would be acceptable.

Given the above, the proposals are considered to be in accordance with policies Sections 12 and 16 of the National Planning Policy Framework, policies EN1, EN3, CC9, SP1 and DM1 of the Adopted Core Strategy for the City of Manchester, paragraphs 2.6 and 2.20 of the Guide to Development in Manchester SPD and saved policies DC15.1 and DC15.2, DC18.1 and DC19.1 of the Unitary Development Plan for the City of Manchester.

Public Safety

A condition will be applied to require the implementation of measures to reduce the risk of fire damage to the building and surrounding listed buildings and the danger to people working in these buildings and pedestrians passing the site.

Given the above, it is considered that the proposals are acceptable and are in accordance with saved policies DC18.1 and DC19.1; of the Unitary Development Plan for the City of Manchester and the Core Strategy for the City of Manchester, in particular Policies CC10, SP1, EN3 and DM1 and Section 8 (Promoting Healthy and Safe Communities) of the National Planning Policy Framework and the Regulatory Reform (Fire Safety) Order 2005.

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 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

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

- 1) a) The express advertisement consent hereby granted is limited to a period of 11 months starting on the date of the commencement of the display of the advertisement hoarding hereby approved or 29th August 2023; if that is earlier.
- b) Written notice shall be given to the Council of the date of commencement of the display of the advertisement hoarding(s) within 7 working days of that commencement.
- c) On the date of the expiry of the express consent period on 29th July 2023 or earlier (see a), or on the date of completion of the relevant works; if that is earlier; the advertisement hoardings and all associated development shall be removed, any use of the land/building authorised by this consent shall be discontinued, and the land/building 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, CC10, T1 and SP1 of the Adopted Core Strategy for the City of Manchester, paragraphs 2.10, 2.20, 12.6, 3.1 and 8.8 of the Guide to Development in Manchester SPD and saved policies E3.3, DC15.1 and 15.2, DC18.1 and DC19.1 of the Unitary Development Plan for Manchester

- 2) The advertisement hereby approved shall be displayed in accordance with the following drawings and documents:

The location plan received by the City Council as local planning authority on 14 Jun 2023

The drawings referenced:

IOL.RB.01
IOL.RB.02
IOL.RB.06
IOL.RB.07
IOL.RB.08
IOL.RB.09

received by the City Council as local planning authority on 14 June 2023

The Draft Scaffold Programme prepared by Russell WBHO and received by the City Council as local planning authority on 4 August 2023

The signed Pre-Construction Service Agreement Contract prepared by CD9 Properties received by the City Council as local planning authority on 30 June 2023

The Scaffold Methodology Rev B prepared by Russell WBHO received by the City Council as local planning authority on 14 June 2023

The LUMiLiFe Specification Sheet received by the City Council as local planning authority on 14 June 2023

The email from Infinity Outdoor dated 30 July 2023

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies DM1, EN1, EN3, CC9, CC10, T1 and SP1 of the Core Strategy, paragraphs 2.10, 2.20, 12.6, 3.1 and 8.8 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

3) The following measures shall be complied with for the duration of the display of the approved scaffold wrap:

- a) The material used shall have flame retardant classification of TS62 certification (or equivalent) prior to its installation on site.
- b) The Fire Integrity of the scaffold wrap shall be maintained at all times.

Reason - To ensure that the risk of fire damage to the non-designated heritage asset and the surrounding listed buildings is not increased due to the installation of the hereby approved scaffold wrap in accordance with saved policies DC18.1 and DC19.1; of the Unitary Development Plan for the City of Manchester and the Core Strategy for the City of Manchester, in particular Policies CC10, SP1, EN3 and DM1 and Section 8 (Promoting Healthy and Safe Communities) of the National Planning Policy Framework and the Regulatory Reform (Fire Safety) Order 2005.

4) External lighting shall be designed and installed so as to:

- a) control glare and overspill onto nearby properties.
- b) be controlled to not exceed 300cd/m² during the hours of darkness.
- c) be set to switched off between the hours of 23:00 and 07:00.

Reason - Reason - In the interests of visual amenity and because the proposed works affect structures that are included in the Statutory List of Buildings of Special Architectural or Historic Interest and careful attention to building work is required to protect the character and appearance of these heritage assets, and to safeguard the amenities of the occupiers of nearby properties in accordance with saved policy DC19.1; of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

Informatives

1) The applicant is to be advised of the details of working safely near Metrolink which can be found on the Metrolink Website at; <https://www.tfgm.com/public-transport/tram/workingsafely>. This document provides contact details for the Metrolink Operator in order that the proposed method of erection can be discussed and relevant permits obtained.

2) The applicant should be advised that any requirements for licensing, hoarding /scaffolding, skips and any associated temporary traffic or footway management arrangements will need discussion and agreement with MCC's Event and Traffic Management and Licensing teams via Email -highwaylicences@manchester.gov.uk
highwaynetworkmanagement@manchester.gov.uk

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health
Transport For Greater Manchester

9 Bridgewater Place, Manchester, M4 1QF
122A Market Street, Manchester, M1 1WA
Flat 309, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 201, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 708, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 310, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 303, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 402, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 204, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 306, The Birchin, 1 Joiner Street, Manchester, M4 1PH
7 Tib Street, Manchester, M4 1AD
Flat 103, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 101, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 4, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 608, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 301, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 501, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 205, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 703, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 804, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 507, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 206, The Birchin, 1 Joiner Street, Manchester, M4 1PH
128 Market Street, Manchester, M1 1WA
1 - 3 Piccadilly, Manchester, M1 1LZ
Flat 307, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 404, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 509, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 601, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 104, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 806, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 107, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 706, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 8, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 305, The Birchin, 1 Joiner Street, Manchester, M4 1PH
11 - 23 Bridgewater Place, Manchester, M4 1QF
Fourth Floor, 20 - 22 High Street, Manchester, M4 1QB
130 - 132 Market Street, Manchester, M60 1AY
Flat 2, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 6, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 203, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 311, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 202, The Birchin, 1 Joiner Street, Manchester, M4 1PH
1A High Street, Manchester, M4 1QB
Flat 302, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 808, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 410, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 304, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 702, The Birchin, 1 Joiner Street, Manchester, M4 1PH

Flat 805, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 506, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 504, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 3, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 709, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 510, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 5, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Basement, 20 - 22 High Street, Manchester, M4 1QB
Flat 108, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 111, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 106, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 511, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 602, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 211, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 802, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 707, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 505, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 207, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 606, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 704, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 102, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 603, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 508, The Birchin, 1 Joiner Street, Manchester, M4 1PH
First Floor, 20 - 22 High Street, Manchester, M4 1QB
Ground Floor, 20 - 22 High Street, Manchester, M4 1QB
8A Tib Street, Manchester, M4 1PQ
Flat 411, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 9, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 109, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 110, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 208, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 401, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 210, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 403, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 609, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 308, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 701, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 409, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Third Floor, 20 - 22 High Street, Manchester, M4 1QB
Second Floor, 20 - 22 High Street, Manchester, M4 1QB
Ground Floor And First Floor, 8A Tib Street, Manchester, M4 1PQ
Halifax, 5 Piccadilly, Manchester, M1 1LZ
Flat 105, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 705, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 408, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 1, The Birchin, 1 Joiner Street, Manchester, M4 1PH
20 - 22 High Street, Manchester, M4 1QB
Flat 801, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 406, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 407, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 604, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 209, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 803, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 607, The Birchin, 1 Joiner Street, Manchester, M4 1PH

Flat 405, The Birchin, 1 Joiner Street, Manchester, M4 1PH
124 - 126 Market Street, Manchester, M1 1WA
Flat 502, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 807, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 503, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Flat 7, The Birchin, 1 Joiner Street, Manchester, M4 1PH
Betfred, 8 High Street, Manchester, M4 1QB

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
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Smithfield Conservation Area 1987
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL