

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137410/AOH/2023

Date registered valid: 27 June 2023

Proposal: Temporary Advertising Banner on Loading Gantry Scaffold for a period of 1 year.

Address: Manchester Town Hall , Cooper Street, Manchester, M2 4EG

Ward(s): Deansgate Ward

Applicant: Joseph Arshed MediaCo Limited

Agent (if any):

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

Recommendation: Approve

Date of recommendation: 2 August 2023

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit: 10 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 I

Conservation area: Albert Square Conservation Area 1972

Tree Preservation Order: Not applicable

Description of area

Manchester Town Hall is a Grade I Listed Building in the Albert Square conservation area. It is part of the Town Hall Complex along with the Grade II* Listed Town Hall Extension, the Grade II* Listed Central Library, Library Walk, Albert Square and St Peter's Square. The Town Hall Complex is one of Manchester's greatest cultural and civic assets, which makes a significant contribution to the heritage and identity of the City. Manchester Town Hall is the most significant building in the Complex.

It fronts Albert Square which would be pedestrianised and re-landscaped (ref 124918/VO/2019); Princess Street, Lloyd Street and Cooper Street. Cooper Street adjoins St Peter's Square which has high quality public realm, high quality new development and highly graded listed buildings. The Square was redesigned and expanded between 2012 and 2017 and contains a Metrolink station and listed and unlisted statues, structures and monuments including the Grade II* Listed Cenotaph and the Grade II Listed St Peter's Cross. Lloyd Street is a one way vehicular route which services the Town Hall and Town Hall extension and has controlled access. The Grade II* Listed Cenotaph is located on the opposite side of Cooper Street.

The Town Hall is Manchester's most significant civic landmark and an icon of its history. It opened in 1877 and is a masterpiece of Victorian Neo-Gothic architect, Alfred Waterhouse and was Grade I listed in 1952. Its external elevations are constructed of Sandstone ashlar, the roof is covered by slate and it is between 5 and 8 storeys high. The building has been well maintained

over the years, but many aspects are showing their age. Recent studies show that elements are reaching their natural lifespan.

It is triangular in shape with main public entrances on Albert Square and Cooper Street, with further entrances on Princess Street, and Lloyd Street. Corridors run around the building on the courtyard side. It has a richly designed triangular courtyard, beautiful nodal stairs and central stairs with exceptional craftsmanship and high architectural quality. Ceremonial and key public areas, include the principal entrance on Albert Square, the Sculpture Hall, the Great Hall and the state rooms which form the central part and stretch of rooms along Albert Square.

Waterhouse's original design is largely intact, having undergone relatively little alteration compared to similar buildings. Numerous cumulative alterations have taken place as a result of its ongoing civic use. These have affected the historic services and office spaces to the largest degree and have included harmful alteration including the 1950s and 1960s extensions to the courtyard link bridge to provide kitchens and catering facilities to serve events and functions within the Great Hall.

The expansion of Manchester and associated growth of civic administration led to the construction of the Town Hall Extension during 1934-1938, which was designed by Emmanuel Vincent Harris, who also designed Central Library. The Town Hall Extension included alterations to the Town Hall through the introduction of link bridges over Lloyd Street. The Town Hall Extension and Central Library were extensively refurbished between 2010 and 2014.

The functions of the Town Hall include offices and meeting rooms, state rooms, public meeting rooms, spaces for civic events including weddings, recitals and performances, registrar's office, Coroner's Court, catering, retail, staff welfare facilities, WC provision, plant and circulation space. It has a Stop Equipment Room for the St Peters Square Metrolink Stop. It is also a visitor attraction and hosts Civic Receptions, public and private meetings, conferences, weddings and receptions, banquets, dinner dances, drink receptions, exhibitions, performances, graduation ceremonies, film shows, Tea Dances and Organ Concerts. Many take place in the Great Hall. The Lord Mayor's Apartment, the State Rooms, the Reception Rooms, the Banqueting Room, the Conference Hall, the Registrar's Ceremony Room and function spaces are also used.

The building has been closed since 2018 and removable historic artefacts and special collections have been temporarily relocated where possible. Several applications have also been approved during 2018 and 2019 to allow investigation works to inform the refurbishment to allow all works to be developed from a detailed understanding of the heritage significance of the building and to be implemented following a robust methodology.

The main entrance is located on Albert Square. The listed structures in The Square comprising the Grade I Listed Albert Memorial and the Grade II Listed Jubilee Fountain and the Fraser', Bright, Heywood and Gladstone Statues. The Albert Memorial was also designed by Alfred Waterhouse and is an elaborate 73 foot tall Gothic enclosure with a marble statue within the centre. The building is located within the Albert Square Conservation Area.

This application relates to the gantry on the Cooper Street elevation of the Town Hall, which is currently significantly shrouded due to the ongoing works and the need for scaffolding.

The Cenotaph is located on the opposite side of Cooper Street to this elevation. Sir Edwin Lutyens was commissioned to design the Cenotaph, which was installed in it's former location (on the site of the former St Peter's Church) in November 1923 and it was unveiled on 12th July 1924. It was surrounded by the memorial garden in 1949 and was listed in 1974.

It is constructed of Portland Stone, with a brick core and concrete foundations. The footprint is rectangular and the top of the three stages is decorated with the Manchester Coats of Arms, swords, crowns and lettering. The Cenotaph is located on an original Portland Stone plinth, with original steps, war stone and two symmetrical obelisks, all of which is all located on a concrete base.

The Cenotaph was moved to its current location in 2014 due to a redesign of St Peter's Square. The memorial can be better appreciated in its new location with its high quality modern surrounding structure. It was previously located on an island between Metrolink tracks.

Advertising consent is sought for the display of advertising on a Knife Coated PVC Fabric banner measuring 14424mm (w) x 5900mm (h) that would be attached to the gantry located on the Cooper Street elevation of the Town Hall for a period of 1 year. Seven lighting units would be attached to the gantry 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.

There would be no advertising around the time of Armistice Day and Remembrance Sunday instead a suitable message of remembrance from the Council would be designed and put on display. The same approach would be adopted during other similarly sensitive events if/when they occur.

This application is for the continuation of the display of the advertisement approved as part of application referenced: 128448/AOH/2020.

Consultations & Notification Responses

Highway Services - Confided that the proposals are acceptable.

Environmental Health - Advised that they can accept the light levels proposed (300cd/m²) and would normally ask for the hours of operation but as it is just for continued use until May 2024 and they haven't received complaints regarding light spill over the previous 2 years they can accept the proposals.

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 Grade I Listed Town Hall, Grade II* Listed Cenotaph, Grade II* Listed Town Hall Extension and other surrounding listed buildings; and the surrounding Albert Square Conservation Area and the impact on public safety. The main policies that relate to the proposals are Sections 8 (Promoting Healthy and Safe Communities), 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, and the Regulatory Reform (Fire Safety) Order 2005.

Visual amenity, including the impact on heritage assets -

The advertisement would affect the setting of the above named listed buildings, particularly the Grade II* Listed Cenotaph and the Grade II* Listed Town Hall Extension, as the Grade I Listed Town Hall would be mostly covered by a shroud, with or without the installation of the proposed advertisement. The proposed scaffold wrap would cause less than significant harm to the character and appearance of these heritage assets and the Albert Square Conservation Area due to its intrusive albeit temporary appearance, which is emphasised by the illumination of the advertisement. The advertisements displayed and even the public messages would also be substantially different to a plain shroud and to the elevation of the Town Hall.

This harm is justified by the funds that would be generated for the Town Hall Restoration Project and because, a minimum of 40% of the display days (146 days per annum) would be used by Manchester City Council (with no fee) for public messaging campaigns. This would include the guaranteed display of specifically designed messaging around Armistice Day and Remembrance Sunday and any other sensitive occasions during the year when the Council requires advertising to be removed.

The Cenotaph also has important and particular cultural significance that must be protected. It is due to this that the scaffold wrap would not display advertisements during sensitive events including Armistice Day and Remembrance Sunday.

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 would be related to the works to restore the Town Hall so is clearly associated with legitimate works to the building.

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 for a further temporary period of 1 year the location of the proposed scaffold wrap displaying advertisements and its impact upon visual amenity would be acceptable.

Given the above, it is considered that subject to conditions, the benefits of the proposal would outweigh the level of harm caused to the affected heritage assets, and the works are consistent with paragraph 196 and 197 of the NPPF and address sections 66 and 72 of the Planning Act in relation to preservation and enhancement.

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

Sufficient measures are proposed to prevent the scaffold wrap from increasing the risk of fire damage to the Grade I Listed Town Hall and the danger to people working in the Town Hall and pedestrians passing the site. These measures will be required to be implemented by condition.

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

Not applicable

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 1 year starting on the date of the commencement of the display of the advertisement hoarding hereby approved or 27 June 2023; if that is earlier.
- b) On the date of the expiry of the express consent period on 26 June 2024 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) 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.

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

The location plan referenced 'MECO 0003 LP - Updated' received by the City Council as local planning authority on 27 June 2023

The drawings referenced:

MECO 0001 SCHEM/GEN/BANNER/SPEC
MECO 0002 SCHEM/LIGHT

received by the City Council as local planning authority on 27 June 2023

MECO 0005 ED&AD Updated

received by the City Council as local planning authority on 27 June 2023

The letter from Media Co Group dated 26 June 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

4) Advertising displayed on the scaffold shall be strictly controlled as follows:

a) All advertising shall comply with the Code of Practice of the Advertising Standards Authority and as such will not:

- i) be in advocacy of, or opposition to any politically, environmentally or socially controversial subjects or issues.
- ii) relate to a political party or parties or a political cause.
- ii) refer to indecency or obscenity or use obscene or distasteful language.
- iv) depict direct or immediate violence to anyone shown in the advertisement.
- v) depict men, women or children in a sexual manner or display nude or semi-nude figures in an overtly sexual context.
- vi) promote the availability of adult or sexually orientated entertainment materials or establishments.
- vii) promote food or beverage products that are classed 'less healthy' based on the Food Standards Agency 'Nutrient Profiling Model'.
- viii) promote tobacco products, e-cigarettes or related products.
- x) promote weapons, gambling or illegal drugs.
- xi) promote financial organisations and loan advancers with punitive interest rates, 'cash for gold' or similar pawn broker type agents.
- xii) contain negative references to Manchester City Council Services or those services provided or regulated by the Authority or organisations associated with the Authority.
- xiii) adversely affect in any way the interests of Manchester City Council.

b) There shall be no advertising for a minimum of one week around the time of Armistice Day and Remembrance Sunday. The same approach shall be adopted during other similarly sensitive events if or when they occur. At these times the display shall be as shown within the image within the email from Joseph Arshed of Ocean Outdoor dated 8 January 2021 or consist of other similar and suitable displays designed and/or agreed by Manchester City Council. In the case of Remembrance Day, between and including Remembrance Sunday and Remembrance Day the scaffold wrap hereby approved shall only be used for related Public Sector messaging and images.

c) A minimum of 40% of the display days (146 days per annum) shall be used by Manchester City Council (with no fee) for public messaging campaigns, including the guaranteed display of specifically designed messaging including those days described in b) above.

This accords with the emails from Joseph Arshed of Ocean Outdoor dated 8 January 2021 and the email from Joseph Arshed of Ocean Outdoor to Melanie Cook dated 13 January 2021 as forwarded to Emily Booth and Anthony Mitchell by Liam Brady on 13 January 2021.

The display shall accord with the above approved details for the duration of the display.

Reason - In the interests of visual amenity and because the proposed works affect the Grade I Listed Town Hall and the setting of the Grade II* Listed Cenotaph and the Albert Square Conservation Area, and the above measures are required to protect the character, appearance and cultural significance of these heritage assets in accordance with saved policies DC18.1 and DC19.1; of the Unitary Development Plan for the City of Manchester and policies SP1, EN3 and DM1 of the Core Strategy.

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

- a) The material used shall have the highest flame retardant classification of any flexible banner material and shall meet the standard of TS62 certification 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 Grade I Listed Building 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.

6) 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.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Obi Property Limited, 80 Mosley Street, Manchester, M2 3FX
Suite 3B, 80 Mosley Street, Manchester, M2 3FX
Basement And Ground Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Suite 4A, 80 Mosley Street, Manchester, M2 3FX
Second Floor, 12 Princess Street, Manchester, M1 7AG
Town Hall Extension, St Peter's Square, Manchester, M60 2LA
Ban Di Bul Restaurant, 77 Princess Street, Manchester, M2 4EG
POST OFFICE, Town Hall Extension, Mount Street, Manchester, M2 5DB
PUBLIC CONVENIENCES, Town Hall Extension, Lloyd Street, Manchester, M60 2LA
79 Mosley Street, Manchester, M2 3LQ
12 Princess Street, Manchester, M1 7AN
80 Mosley Street, Manchester, M2 3FX
Town Hall, Albert Square, Manchester, M2 5DB
Manchester Art Gallery, Mosley Street, Manchester, M2 3JL
Basement To Third Floor, 79 Mosley Street, Manchester, M2 3LQ
City Council Engineers And Surveyors, Albert Square, Manchester, M2 5HD
Suite 1B, 80 Mosley Street, Manchester, M2 3FX
Suite 1A, 80 Mosley Street, Manchester, M2 3FX
Fourth Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Third Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Second Floor, 73 - 75 Princess Street, Manchester, M2 4EG
First Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Suite 2B, 80 Mosley Street, Manchester, M2 3FX
Ground Floor, 73 - 75 Princess Street, Manchester, M2 4EG
Suite 3A, 80 Mosley Street, Manchester, M2 3FX
Suite 2A, 80 Mosley Street, Manchester, M2 3FX
77 Mosley Street, Manchester, M2 3LQ
Cafe Nero, 80 Mosley Street, Manchester, M2 3FX
Suite 9, 80 Mosley Street, Manchester, M2 3FX
Suite 8, 80 Mosley Street, Manchester, M2 3FX
Suite 7B, 80 Mosley Street, Manchester, M2 3FX
Suite 7A, 80 Mosley Street, Manchester, M2 3FX
Suite 6B, 80 Mosley Street, Manchester, M2 3FX
73 - 75 Princess Street, Manchester, M2 4EG
Suite 6A, 80 Mosley Street, Manchester, M2 3FX
Suite 5B, 80 Mosley Street, Manchester, M2 3FX
Suite 5A, 80 Mosley Street, Manchester, M2 3FX
Suite 4B, 80 Mosley Street, Manchester, M2 3FX
1 Cooper Street, Manchester, M2 2FW

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 - Albert Square Conservation Area 1972

Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL