

Planning

Growth & Development

Delegated officer report for planning application

Application no. 136972/LO/2023

Date registered valid: 15 May 2023

Proposal: Listed building consent for the installation of 3no. advertising screens in various locations within railway concourse.

Address: Victoria Railway Station, Long Millgate, Manchester, M3 1WY

Ward(s): Deansgate Ward

Applicant: Mr James Lomax Northern Rail Limited

Agent (if any): Mr Matt Swindles Global

Case officer: Michael Pearson
Tel: 0161 219 2735
Email: michael.pearson@manchester.gov.uk

Recommendation: Refuse

Date of recommendation: 28/06/2023

Application details

Type of application: Listed Building Consent

Development type: Listed building alteration

Date of site visit: 1 June 2023

Standard consultations:

Printed: 31 May 2023 Expired: 21 June 2023

Neighbour notifications

Printed: 31 May 2023 Expired: 21 June 2023

Site notice

Posted: 1 June 2023 Expired: 22 June 2023

Press advert

Published: 6 June 2023 Expired: 20 June 2023

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

The application relates to the Grade II listed Victoria Railway Station, which is in active use as a railway station. The application property dates from 1844 and was enlarged in 1909, since this time the application site has seen modern refurbishment, most notably the station's modern train shed roof approved under planning application 100355/FO/2012/C1. Modern signage, digital boards and other fixings are present throughout the station which aid in its function as a railway station or provide advertisement space.

Listed building: Grade II

Conservation area: Not Applicable

Tree Preservation Order: Not Applicable

Description of area

The application site is located in the City Centre and as such the neighbouring area is characterised by a high number of properties in commercial use, principally the AO arena located to the west of the application site. The site also neighbour's significant railway infrastructure in the form of rail lines to the east and the Grade II listed North Bridge, Middle Bridge and Stephenson Bridge to the west.

Description of development

The application seeks listed building consent for the installation of 3no digital advertisement boards. The proposed boards would be situated on the side elevation of the station's elevator shaft, a second freestanding board by the station's ticket turnstiles and a third would be attached to the wall of Platform 6. The 2no wall mounted boards would have a height of 1.83m, a width of

1.108m and a depth of 0.118m. The freestanding board would feature a 1.83m high screen that would sit on a 0.45m high plinth, giving it complete height of 2.28m. The board would then have a width of 1.108m and a depth of 0.156m.

The submission has not confirmed how the boards would be attached to the station's walls/platform.

Planning History

A high number of applications are on record for the application site, the most relevant of which are shown below:

117733/LO/2017 - LISTED BUILDING CONSENT: removal, replacement and installation of signage – Approved March 2018.

100355/FO/2012/C1 - Redevelopment of railway station comprising demolition and replacement of the existing train shed roof and replacement with a new roof structure, provision of a new link bridge to the Arena, reconfiguration and refurbishment of the concourse, provision of new passenger facilities, refurbishment of heritage features including Heritage rooms, Soldier gate, memorial wall and ancillary works. The scheme also includes the provision of additional Metrolink tracks and platforms within the station – Approved January 2013.

Consultations & Notification Responses

Cadent Gas – No objection.

Environmental Health – No objection.

Network Rail – No objection.

Metrolink – No objection.

Transport for Greater Manchester – No objection received.

Publicity – None received

Policy

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 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 DC15 – Advertisements, Hoardings and Posters
- Policy DC19 – Listed Buildings

National Planning Policy Framework (NPPF)

- Chapter 12: Conserving and enhancing the historic environment

Planning (Listed Buildings and Conservation Areas) Act 1990

Other legislative requirements

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) states that in considering whether to grant Listed Building Consent for any works the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the LBCA Act requires the local planning authority to have special regard to the desirability of preserving the setting of listed buildings. This requires more than a simple balancing exercise and considerable importance and weight should be given to the desirability of preserving the setting.

Issues

Impact upon Heritage Asset

The proposal would see the installation of 3no advertisement boards within a Grade II listed building that would be for purposes unrelated to the site's function as a railway station and purely for that of advertisement. The submitted supporting information has made clear that the proceeds raised through the use of said boards would contribute to covering the operation costs of the railway station.

The proposed boards would occupy prominent positions within the railway station, with the submitted heritage statement noting that position has been selected so as to cause as little impact to the significance of the listed building as possible. The statement goes on to note that Victoria Station benefits from multiple advertisements and information boards as justification for the delivery of the proposal.

Notwithstanding the above, it is considered that the proposed boards are an incongruous modern feature that would adversely affect the internal setting of the listed building. This is due to how the placement of the advertisement boards would add to the visual clutter of the site and represent an intensification of a characteristic of the station that detracts from its historical significance i.e. that of the proliferation of advertisements. Furthermore, the placement of advertisement boards at locations 1 and 3, as shown on the proposed plans, would detract from the architectural merits of new additions to the station, namely the cladded elevator shaft at location 3 and the Manchester Victoria signage at location 1. The proposed advertisement board at location 2 would also appear as an awkward free-standing structure within the station that would have no relationship to neighbouring features thus emphasising its inappropriateness. Due to these reasons, it has been determined the proposal would result in a less than substantial degree of harm to be caused to the significance of the listed building.

Per the requirements of paragraph 202 of the National Planning Policy Framework, the identified harm of the proposal should be weighed against the public benefits that would be brought about via the delivery of the proposal. It is considered however that the delivery of the proposed advertisement boards would provide no public benefit, with the money raised toward covering the operating costs of the station through their installation and subsequent use to be so insignificant as to have no benefit. Taking the above into account the proposal would fail to meet the statutory test to preserve as put forward under Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 and as such is contrary to policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC15.1 and DC19.1 of the Unitary

Development Plan for the City of Manchester (1995), the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990.

Conclusion

In light of the above the proposal has been found to have an unacceptable impact on the historical significance of the Grade II listed building contrary to policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC15.1 and DC19.1 of the Unitary Development Plan for the City of Manchester (1995), the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990. On this basis permission is recommended to be refused.

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: Refuse

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. However, the issues identified are considered to be so fundamental that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason for the refusal, approval has not been possible.

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

- 1) The proposed digital advertisement boards, due to their siting, scale and appearance together with being superfluous to the site's function as an active railway station, would fail to respond positively to the character and appearance of the building, its setting and local historic environment. The boards would be located in highly prominent positions within the station that would detract from its historic setting and contribute to the proliferation of advertisements within the station grounds. The proposal would cause less than substantial harm to the setting of the listed building, with the proposal also failing to provide the necessary public benefit to outweigh the identified harm. The proposal is therefore contrary to policies SP1, CC9, EN3 and DM1 of the Manchester Core Strategy (2012), saved policies DC15.1 and DC19.1 of the Unitary Development Plan for the City of Manchester (1995), the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990.

Appendix 1 – List of consultees & neighbours notified

Environmental Health
Heritage & Urban Design
Transport For Greater Manchester
Network Rail
Metrolink

McDonalds Restaurants, Hunts Bank Approach, Manchester, M3 1AR

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Less) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Susceptible to Surf Water Flood (Middle) -
Area Team Boundary - Name: CENTRAL