

EXECUTIVE SUMMARY

APPELLANT: MR GERRY O'BRIEN, BLOW UP MEDIA UK LTD

APPEAL SITE: 43-45 PICCADILLY GARDENS, MANCHESTER M1 2AP

APPEAL APPLICATION: TEMPORARY SCAFFOLD SHROUD SCREEN ADVERTISEMENT MEASURING 18M X 7M (EXTERNALLY-ILLUMINATED) SET WITHIN A BRICK MURAL IMAGE, FOR A PERIOD OF 12 MONTHS.

LPA REF: 134272/AOH/2022

This executive summary is an overview with the purpose of summarising the case which revolves around visual amenity.

SUMMARY

Site



The appeal site is situated in a city centre location in the heart of the shopping and business district of Manchester centred around Piccadilly close to the Arndale shopping centre and Piccadilly train station.

This is a busy and vibrant location with heavy footfall.

The character is predominantly commercial.

The site is occupied by scaffolding which rises above a ground level black hoarding along the Lever Street frontage.

The scaffolding is there to support the adjacent listed building.

It has been in place since the former buildings on the site were demolished around 10 years ago by the council following a dangerous structure notice and the scaffold structure is required to support the adjacent Grade 11 listed building at 47 Piccadilly Gardens.

The site is within the Stevenson Square conservation area.

The owner has a planning application in with the council to redevelop the site with a hotel.

Proposal

The proposal is for a decorative advertising shroud to screen the scaffold structure pending the site re-development and comprises a brick mural design surrounding an inset advertising area measuring 18 m wide x 7m high as depicted below for the display of poster style advertisements printed onto pvc.

VIEW WITH PROPOSED SHROUD



Relevant advertising history

Express consent was first granted by the Planning Inspectorate on 26 November 2013 following an appeal hearing, for a temporary decorative scaffold shroud screen

advertisement at the appeal site which comprised a brick mural design with an inset advertising area measuring 20m x 10m.

This is shown below.



The issue under consideration at the original 2013 appeal hearing related solely to the impact of the display on visual amenity.

Further temporary consents were granted (all at appeal following the councils refusals) in 2016, 2017, 2018, 2019, 2020.

In June 2022, a further application to extend the period was dismissed at appeal.

The refusal

The refusal is amenity based and refers to harm to visual amenity.

National policy advice

National Policy on advertising is contained within the *National Planning Policy Framework (NPPF)*, *Planning Practice Guidance (PPG)* and the *Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (The Regulations)*. All confirm that adverts

are to be controlled with reference to their effect on amenity (and where necessary public safety). That factors relevant to amenity include the general characteristics of the locality including the presence of any features of historic, architectural, cultural or similar interest.

The National Planning Practice Guidance makes specific reference to shroud advertisements. The guidance states that

“Buildings which are being renovated or are undergoing major structural work and which have scaffolding or netting around them may be considered suitable as temporary sites for shroud advertisements or large ‘wrap’ advertisements covering the face, or part of the face, of the building.”

I make reference to this because whilst the site is not yet a building site per se the site holds scaffolding to support the adjoining listed building which itself has a similar impact on the street scene and the principles associated with this guidance are comparable.

Local development plan policy

Whilst there is no requirement to adhere rigidly to compliance with development plan policies in advert control, Policy DC 15 (Advertisements, hoardings and posters) of the councils UDP supports this kind of proposal in its requirements as follows,

- *The scope for posters and hoardings to make a positive contribution to the locality*
- *The use of hoardings to disguise or improve the appearance of unsightly features, operations or activities.*

Assessment

The advice in the NPPF is that, *‘The quality and character of places can suffer when advertisements are poorly sited and designed’*. In this case I do not believe it can be applied to the appeal proposal.

It is considered that any decision maker should take into account any positive (as well as negative) aspects associated with such advert proposals in a balancing act, and in applying the expression “in the interests of amenity” to any particular application or appeal, account should be taken not only of factors which may be detrimental to amenity but also

of factors which may be to the advantage of the amenity of a locality, such as adding appropriate colour and interest, or screening an eyesore, both of which apply in this case.

Previous appeal consents from 2013-2020 found a larger shroud advertisement at 20m x 10m acceptable in relation to visual amenity, summed up by the 2018 appeal consent as follows,

“The advertisement has been subject to 3 previous appeal decisions. I have considered the reasoning of my colleagues in relation to the designated heritage assets and I see no reason to depart from their basic analysis. The scaffold to which the advertisement is attached is a necessary, if unsightly mechanism to support the grade 11 listed building until a permanent redevelopment of the site is secured. The appeal advertisement is currently concealing this scaffolding from sight. In my view, it has a less detrimental impact on visual amenity, the setting of the listed building, and the character and appearance of the conservation area than the bare scaffolding would have.”

Given the 2021 appeal decision appeared to contrast with this view, the current appeal proposal has reduced the size of the inset advertising area down from 20m x 10m (200m² to 18m x 7m (126m²) with a consequent increase in the neutral brick mural surround.

The shroud not only conceals an old and unsightly scaffolding structure supporting the building but enables effective overall improvements and continuing management to this site as a whole pending its proper re-development. It would provide an alternative vibrant and colourful new point of interest in the shopping street complementing its commercial profile. Its scale and size is not excessive relative to its setting and considered to be proportionate without harm to visual amenity or local heritage assets.

