

The Corner of London Road and Store Street, Manchester, M1 2PF

STATEMENT OF CASE – PLANNING APPEAL

Prepared on Behalf of Network Rail

August 2022

Contents

1. INTRODUCTION	1
2. APPLICATION SITE AND CONTEXT	2
3. PROPOSED DEVELOPMENT.....	3
4. PLANNING POLICY CONTEXT	6
5. GROUNDS FOR APPEAL	13
6 CONCLUSION	20

APPENDIX A – DECISION NOTICE – Ref. 133244/AOH/2022

APPENDIX B – TIMELINE PHOTOS OF APPEAL SITE

APPENDIX C – DRAWING PACK

APPENDIX D - APPLICATION COVERING LETTER

APPENDIX E – PRECEDENT DIGITAL ADVERTISEMENT CONSENTS IN MANCHESTER

1. INTRODUCTION

- 1.1 This Appeal Statement has been prepared by Tetra Tech Planning on behalf of Network Rail (the applicant) in response to Manchester City Councils ("the LPA") refusal of an application for advertisement consent (133244/AOH/2022) for the installation of one 48 sheet digital LED billboard to replace the two 48 sheet billboards on site. The site is located on the corner of London Road and Store Street, Manchester, M1 2PF.

Description of Proposal

- 1.2 The description of the development as detailed on the decision notice is;

"Installation of 48 sheet LED billboard"

Reasons for Refusal

- 1.3 The decision notice dated 28th June 2022, listed the reason for refusal as follows;

"The proposed advertisement would by virtue of its size, location, design and appearance have a detrimental impact on visual amenity, character, appearance and ongoing regeneration of the surrounding area constituting an unduly obtrusive, incongruous and overly dominant feature to the listed building on which it would be located and within the wider street scene. The proposal would also result in harm to the appearance and setting of Piccadilly Station and nearby London Road Fire Station. The proposal would result in less than substantial harm to the significance of heritage assets and there would not be the required public benefits to outweigh this. The advertisement would be contrary to Government Guidance contained in Section 12 and 16 of the National Planning Policy Framework, the Core Strategy for the City of Manchester in particular policies EN1 (Design Principles and Strategic Character Areas), CC9 (Design and Heritage), EN3 (Heritage), DM1 (Development Management) and SP1 (Spatial Principles), the Guide to Development in Manchester, in particular paragraphs 2.6 and 11.45 and saved policies DC15.1, and DC15.2 (Advertisements, Hoardings and Posters), DC18.1 (Conservation Areas), DC19.1 (Listed Buildings) of The Unitary Development Plan for the City of Manchester (UDP) and Manchester Piccadilly Strategic Regeneration Framework."

Appeal Sections

- 1.4 This appeal statement is divided into the following sections:
- Section 2 describes the site, surroundings and relevant planning history;
 - Section 3 describes the proposed development;
 - Section 4 provides the planning policy context;
 - Section 4 provides the grounds for appeal, including a planning assessment of the appeal proposal, focusing on the reasons for refusal; and
 - Section 5 provides the conclusion to this statement of case.

2. APPLICATION SITE AND CONTEXT

- 2.1 The proposal site is located on the corner of London Road and Store Street and currently supports 2 static 48 panel billboards which are externally illuminated and attached to the walls of the Manchester Piccadilly train station undercroft. The undercroft is part of a grade II listed structure – referred to as ‘The Train Shed and Undercroft at Manchester Piccadilly Station’ (List entry 1283014). The listing essential covers the full extent of Manchester Piccadilly Station across an area of approximately 3.7 hectares.
- 2.2 The site surroundings are predominantly commercial in character, being located on a busy city centre road and tramline. The site’s wider surroundings include hotel accommodation, offices and student accommodation. The grade II* listed London Road Fire Station is located approximately 70m away to the south of the site. Being located on a major city centre road, there are similar billboards and other illuminated signs located towards both to the north and the south, the closest of which being approximately 20m away to the south fixed to the external wall of the undercroft facing the junction of London Road with Whitworth Street. Further advertisement boards are in situ on the corner of London Road and Fairfield Street to the south of the site. There are not thought to be any residential properties in the direct vicinity of the site.
- 2.3 The proposal site is an established location for advertising, having supported static advertisements in this location for in excess of 10 years, ensuring the sign benefits from deemed consent. There is no relevant planning history associated with this site.

3. PROPOSED DEVELOPMENT

- 3.1 The advertisement consent application in question formed part of a national roll out across Network Rail's advertisement panel portfolio aiming to upgrade existing static billboards as part of a programme of modernising their advertising stock to a digital poster (D-poster) format. The site falls under Network Rail's land ownership.
- 3.2 The proposal sought to "repost" the existing externally illuminated display fixed to the undercroft at Store Street facing north with a single "D-poster" which will display multiple static advertisements on rotation. The new screen dimensions proposed are 6500mm width x 3500mm height. The screen would be installed at the same height as the existing 48 sheet sign which it would be replacing and with the same orientation to appropriately avoid against any potential for vandalism and to provide suitable visibility to passers-by.
- 3.3 As part of the works, the existing externally illuminated 48 sheet advertisement board facing south would be removed, as illustrated on the submitted plans. It is considered that a new digital sign would improve the visual amenity of the locality in providing a better quality advertisement on-site.
- 3.4 The proposal would allow Network Rail's existing advertising network to be better managed, monitored and maintained, to meet the modern requirements of advertisers. This will bring a wide range of benefits including:
- The upgrade of sites lacking in investment;
 - Revenue generated is in the public interest as it can be reinvested in the UK's railway and passenger infrastructure by Network Rail.
 - Ensuring a consistent quality of advertisement image, unaffected by weathering damage or ageing;
 - The ability for the illumination of signs to adjust to ambient light conditions, avoiding any potential for signs to be 'over illuminated';
 - Consolidation and delivering an overall reduction in the number of billboards in the network;
 - A reduction in vehicle trips for reposting paper adverts;
 - Eradicating the need to print posters and avoiding the associated waste involved in the production process;
 - The ability to broadcast emergency messaging;
 - The ability to use void periods for non-commercial campaigns; and
 - Opportunity for more creative real time and locally relevant advertising.

- 3.5 Digital content would be controlled remotely in real time from a Networks Operation Centre (NOC) and the site will be monitored remotely 24/7 to facilitate responsive maintenance. Diagnostics software will report any faults back to the NOC and a “kill switch” would be able to turn the content to black until it can be resolved.
- 3.6 The proposal would utilise new display technology that is lightweight and can be erected with limited additional engineering, as digital poster installations typically weigh little more than the traditional paper and paste poster billboards.
- 3.7 The level of luminance can be suitably controlled in line with the Institution of Lighting Professionals (ILP) relevant guidelines. During the hours of darkness, the sign will not exceed the maximum threshold set in the ILP guidelines, of 300cd/m² within urban and suburban areas. The signs are also capable of automatically adjusting to current lighting conditions ensuring against any “over illumination”.
- 3.8 The displays are capable of being dimmed to within 1% of their maximum output and as such any concerns regarding levels of illuminance at a particular site can be dealt with swiftly and remotely. Lower levels of illuminance prolong the lifetime of the display and reduce electricity costs and as such there is an operational and economic imperative to ensure that digital signs are not “over illuminated”.
- 3.9 To ensure that the proposed digital advertisement does not materially or detrimentally impact upon amenity or public safety, the applicant is willing for the sign’s operation to be controlled via the use of appropriate planning conditions. Suggested conditions could include the following:
- Maximum level of illuminance during the hours of darkness (between sunset and sunrise) to be no greater than 300cd/m²;
 - Maximum level of illuminance during daylight hours to be no greater than 600cd/m²;
 - Static images to be displayed only (no moving or flashing images);
 - Changes between adverts to take place instantaneously with no sequencing, fading, swiping or merging of images; and
 - Advertisement images to change no more frequently than once every ten seconds.
- 3.10 The above conditions are industry standard and are commonly seen applied to applications of this type. Where circumstances demand, additional controls or variations of these conditions may be acceptable to the applicant and where these may be sought, we would welcome dialogue to agree these.
- 3.11 An advertisement consent drawing pack and covering letter were submitted in support of the application detailing the above proposed advertisement (included at **Appendices C and D** of this statement).

Listed Building Consent Requirement

- 3.12 The applicant is aware that the installation of the proposed digital advertisement sign will require listed building consent. Should this advertisement consent appeal be successful it is intended that a subsequent listed building consent application would be submitted to the local planning authority in order to seek this necessary consent in advance of any installation.

4. PLANNING POLICY CONTEXT

- 4.1. Advertisement consent applications are to be determined in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (Regulations). The regulations state that local planning authorities are to consider factors in the interests of amenity and public safety when assessing an application for advertisement consent.
- 4.2. The application was refused on the grounds of visual amenity and the impact it would have on the listed structure (undercroft) to which it would be attached. This section of the Appeal Statement focuses on considering the planning policies of relevance to the appeal as contained in the Development Plan and other policy documents material to the determination of the appeal.

Statutory Development Plan

- 4.3. Section 3(1)(a) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material.
- 4.4. The statutory development plan for the Manchester City Council authority area is currently comprised of the following relevant documents;
- Core Strategy (2012 - 2027)
 - Saved policies from the Unitary Development Plan (1995 – 2012)
 - Guide to Development in Manchester (Adopted April 2007)
 - Manchester Piccadilly Strategic Regeneration Framework (Adopted March 2018)

Material Considerations

- 4.5. The National Planning Policy Framework (NPPF 2021), National Planning Practice Guidance (NPPG), Relevant Supplementary Planning Guidance, Manchester Core Strategy (2012 – 2027) and saved policies from the Unitary Development Plan form material considerations in relation to this advertisement consent application.

The National Planning Policy Framework (NPPF 2021)

- 4.6. The key NPPF Policy test relating to advertisements is set out in Section 12, Paragraph 136, which states that advertisements should be subject to control only in the interests of amenity and public safety. The NPPF also indicates that the advertisement consent process should be operated in a way that is simple, efficient and effective.

National Planning Policy Guidance (NPPG)

- 4.7. In relation to advertisements, the NPPG reiterates the two considerations in determining proposals: amenity and, where relevant, public safety. The general characteristics of the area, including the presence of any features of historic, architectural, cultural or similar interest are highlighted as being important in considering amenity.
- 4.8. The NPPG notes at paragraph 079 that *‘in practice, amenity is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement’.*

Reason for Refusal

- 4.9. The decision notice refusing consent for the scheme considers the proposal to be contrary to the following policies:

National Planning Policy Framework – Section 12

- 4.10. The refusal reason indicates the application to be contrary to Section 12 of the NPPF *‘Achieving Well-designed Places’.*
- 4.11. Paragraph 126 states *‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.’*
- 4.12. Paragraph 127 states *‘Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design Policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics.’*
- 4.13. Paragraph 130 provides a series of requirements which planning decisions should ensure for developments. These include that developments:
- ‘a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development,*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.’*
- 4.14. Paragraph 136 states *‘The quality and character of places can suffer when advertisements are poorly sited and designed, advertisements should be subject to control only in the interests of amenity and public safety.’*

National Planning Policy Framework – Section 16

- 4.15. The refusal reason also indicated the application to be contrary to Section 16 of the NPPF *‘Conserving and Enhancing the Historic Environment.’*
- 4.16. Paragraph 195 states; ‘Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.
- 4.17. Paragraph 206 states; *‘Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.’*
- 4.18. Paragraph 207 states; *‘Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.’*
- 4.19. Paragraph 208 states; *‘Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.’*

Manchester Core Strategy (2012 – 2027) – EN1 (Design Principles and Strategic Character Areas)

- 4.20. The policy makes specific reference to defined character areas. Of relevance to this appeal site is the ‘City Centre Character Area’ stating;
- *‘Developers will be expected to consider the City’s heritage and continue the rich pattern of activity in the core area.’*
 - *‘Wherever possible the opportunity should be realized to enhance existing and provide new areas of meaningful open space, and the maintenance and improvement of the city’s permeability should be considered in all proposals.’*

Manchester Core Strategy (2012 – 2027) – EN3 (Heritage)

- 4.21. The policy refers to heritage assets and features, specifically; *‘New developments must be designed so as to support the Council in preserving or, where possible, enhancing the historic environment, the character, setting and accessibility of areas and buildings of acknowledged importance, including scheduled ancient monuments, listed buildings, registered parks and gardens, conservation areas and archaeological remains.’*

Manchester Core Strategy (2012 – 2027) – EN12 (Area priorities for Open Space, Sport and Recreation)

- 4.22. The Officers Report refers to the proposal being contrary to this policy regarding open space, of relevance to the proposal is the considerations for the city centre to, *‘enhance quality of existing areas and integrate new facilities within the character of the area.’*

Manchester Core Strategy (2012 – 2027) – CC9 (Design and Heritage)

- 4.23. The policy provides reference for accommodating new proposals alongside heritage assets;
- *‘Development in Manchester City Centre should preserve or enhance the heritage assets that have been identified, including listed buildings, conservation areas and scheduled ancient monuments.’*
 - *‘New development must support the range of uses the Council expects in the City Centre and contribute to a coherent and integrated physical environment.’*
- 4.24. Paragraph 8.54 states; *‘The scale and density of development anticipated in the City Centre will require that different uses co-exist in close proximity and new development sits alongside some of the city’s best built heritage.’*

Manchester Core Strategy (2012 – 2027) – DM1 (Development Management)

- 4.25. The policy provides a number of specific principles which all developments should have regard to. Of specific reference to the appeal proposals these include;
- *‘Appropriate siting, layout, scale, form, massing, materials and detail.’*
 - *‘Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area.’*
 - *‘Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.’*
 - *‘Effects relating to biodiversity, landscape, archaeological or built heritage.’*

Manchester Core Strategy (2012-2027) – SP1 (Spatial Principles)

- 4.26. Policy SP1 identifies core development principles. This includes a requirement that development in all parts of the city should *‘make a positive contribution to neighbourhoods of choice.’*

Guide to Development in Manchester (April 2007)

- 4.27. The Guide to Development in Manchester is a supplementary planning document adopted in April 2007 providing further details on UDP policies. The decision notice has stated that the proposal is contrary to the following 2 paragraphs within the document;

- 4.28. Paragraph 2.6 states; ‘New developments should acknowledge the character of these areas and will only be acceptable if they preserve or enhance the special nature of these varied parts of the city.’
- 4.29. Paragraph 11.45 states; ‘Our aim is to ensure that new developments fit comfortably into, and enhance the character of each distinct, and that the city does not become a homogenous urban sprawl. This does not mean that new and different developments will be rejected but that where they add to and enhance the area’s distinct sense of place they will be welcomed.’

Saved Unitary Development Plan Policies – DC15.1 and DC15.2 Advertisements, Hoardings and Posters

- 4.30. Both policies set out the relevant considerations with regard to advertisements and hoardings. The policies are as follows;

DC15.1 ‘The advertisements regulations require that applications for advertisements be considered only in the interests of amenity and public safety. In determining applications for free standing hoardings and wall mounted posters the council will take account of the following matters in assessing these interests:

- a. the general location of the proposed development and the effect on visual amenity;*
- b. the scope for posters and hoardings to make a positive contribution to the locality;*
- c. the design of the structures, and the relationship with any premises on which they are located;*
- d. the effect of the proposal on permanent redevelopment of the land;*
- e. public safety resulting from the positioning of the design of the display;*
- f. the ease with which the structure is capable of being satisfactorily maintained;*
- g. the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;*
- h. the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development*
- i. the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;*
- j. the number of advertisements in the locality and their cumulative effect on visual amenity.’*

DC15.2 ‘In assessing the interests of amenity and safety, the council will take account of the following criteria:

- a. developments of this kind should not harm the character or architectural features of a building, nor interfere with its proper use;*

- b. they should be in scale with the locality and relate properly to the site on which they stand;*
- c. they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;*
- d. a proposal which would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size, or design will not be permitted.'*

Saved Unitary Development Plan Policies – DC18.1 Conservation Areas

- 4.31. This policy outlines the council's considerations with regard to proposals within conservation areas;

'The council will seek to preserve and enhance the character of its designated conservation areas by carefully considering the following issues:

- i) The relationship of new structures to neighbouring buildings and spaces;*
- ii) The effect of major changes to the appearance of existing buildings;*
- iii) The desirability of retaining existing features, such as boundary walls, gardens, trees, (including street trees);*
- iv) The effect of signs and advertisements;*
- v) Any further guidance on specific areas which has been approved by the council.'*

Saved Unitary Development Plan Policies – DC19.1 Listed Buildings

- 4.32. This policy refers to the council's approach to developments that will have some form of impact on listed buildings or heritage assets;

'The council will have regard to the desirability of securing the retention, restoration, maintenance and continued use of such buildings and to protecting their general setting. In giving effect to this policy, the council will:

- a) Not grant listed building consent for the demolition of a listed building other than in the most exceptional circumstances, and in any case, not unless it is satisfied that every possible effort has been made to continue the present use or to find a suitable alternative use;*
- b) Not permit a change of use of a listed building, where it would have a detrimental effect on the character or appearance of the building;*
- c) Not permit any external or internal alteration or addition to a listed building where, in its opinion, there would be an adverse effect on its architectural or historic character;*
- d) Seek to preserve and enhance the settings of listed buildings by appropriate control over the design of new development in their vicinity, control over the use of adjacent land, and where appropriate, by the preservation of trees and landscape features;*

- e) *Permit demolition only where there are approved detailed plans for redevelopment and where there is evidence of a firm building contract;*
- f) *Not permit alterations to a listed building which would prevent the future use of any part of the building, in particular upper floors or basements, or where poor maintenance is likely to result.'*

Manchester Piccadilly Strategic Framework (March 2018)

- 4.33. This strategic framework guides development for the Manchester Piccadilly area with specific reference to the development of the HS2 station which will sit alongside the existing Piccadilly station and its undercroft where the current advertisements are located.

5. GROUNDS FOR APPEAL

Introduction

- 5.1 As mentioned above and in accordance with the NPPF, advertisement proposals must only be considered in terms of amenity and public safety.
- 5.2 The Planning Officers Report and the subsequent decision notice have concluded that the proposal would *'by virtue of its size, location design and appearance have a detrimental impact on visual amenity, character, appearance and ongoing regeneration of the surrounding area constituting an unduly obtrusive, incongruous and overly dominant feature to the listed building on which it would be located.'*
- 5.3 The decision also considers the proposal to result in harm to the appearance and setting of Piccadilly Station and the nearby listed London Road Fire Station.
- 5.4 The reason for refusal will now be addressed and conclusions drawn with reference to the pertinent elements of development plan policy and national planning policy. No concerns were raised regarding public safety and therefore the rest of this statement will focus on the consideration of amenity for the determination of this application.

Refusal Reason

- 5.5 The sole reason for refusal is as follows:

'The proposed advertisement would by virtue of its size, location, design and appearance have a detrimental impact on visual amenity, character, appearance and ongoing regeneration of the surrounding area constituting an unduly obtrusive, incongruous and overly dominant feature to the listed building on which it would be located and within the wider street scene. The proposal would also result in harm to the appearance and setting of Piccadilly Station and nearby London Road Fire Station. The proposal would result in less than substantial harm to the significance of heritage assets and there would not be the required public benefits to outweigh this. The advertisement would be contrary to Government Guidance contained in Section 12 and 16 of the National Planning Policy Framework, the Core Strategy for the City of Manchester in particular policies EN1 (Design Principles and Strategic Character Areas) CC9 (Design and Heritage), EN3 (Heritage), DM1 (Development Management) and SP1 (Spatial Principles), the Guide to Development in Manchester, in particular paragraphs 2.6 and 11.45 and saved policies DC15.1, and DC15.2 (Advertisements, Hoardings and Posters), DC18.1 (Conservation Areas), DC19.1 (Listed Buildings) of The Unitary Development Plan for the City of Manchester (UDP) and Manchester Piccadilly Strategic Regeneration Framework.'

- 5.6 The key aspects of the proposals which potentially impact upon visual amenity are subsequently identified and discussed below.

Size, Design and Appearance of the Advertising Board

- 5.7 The proposed advertisement will replicate the size and appearance of the 48 sheet board currently on site, with the height and orientation also remaining unchanged. When the proposed digital sign is compared to the existing static sign which it is proposed to replace, there would be very little material difference upon viewing the two signs. In adopting a matching position, views of the sign would be largely unchanged for passers-by.
- 5.8 The proposed sign would introduce LED illumination, however, such illumination design is now commonplace across the road network and is gradually replacing more traditional externally or internally illuminated static advertisement boards and represents a more sustainable form of advertising.
- 5.9 We would contend that the transition to digital format advertisements provides opportunity to present better maintained advertisements which are less susceptible to weathering damage and poor levels of maintenance as exhibited by many traditional static advertisement board locations. As such, we do not agree with the notion that the proposed digital sign would represent an *‘unduly obtrusive, incongruous and overly dominant feature’*, as judged by the Council’s decision in the case of this application.
- 5.10 The proposed LED illumination should not present any material detrimental impact for visual amenity. Both of the existing signs are already illuminated. The illumination of the proposed replacement sign can be suitably controlled in accordance with the Institute of Lighting Professionals ‘The Brightness of Illuminated Advertisements PLG 05’ guidance with illumination during the hours of darkness limited to 300cd/m² (Table 4, Section 8 of the guidance). The maximum level of illumination during daylight hours can also be conditioned to no greater than 600cd/m², which is also common practice for such digital advertisements. As identified earlier within this statement, the applicant is happy for the maximum levels of illumination and operation of the proposed advertisement sign to be suitably controlled via industry standard conditions. These conditions would align with those proposed in comments provided by the Local Highway Authority in their consultation response to the application.
- 5.11 In this overall context, neither the size nor the proposed design for the sign would represent incorporating an incongruous or overly dominant feature which in our view could justifiably be viewed as resulting in any significant detriment to the character of the street scene.

Location and Siting

- 5.12 The proposal site is an established location for advertisements, having accommodated advertisements for in excess of 10 years. Evidence is provided at Appendix B showing the advertisements have been continuously displayed at the site. This ensures the signs benefit from deemed consent.
- 5.13 In the determination process it is important to fully consider the context of the site and its character, as required by both the NPPF and the identified Local Development Plan policies.

Notwithstanding the listed status of the undercroft of Manchester Piccadilly Station to which the sign would be fixed, the wider location does not represent a particularly sensitive location in respect to the introduction of commercial features. The site is not located within a Conservation Area. The locality is a bustling area of the city centre, positioned alongside a busy main road as well as Metrolink tram lines.

- 5.14 The wider surrounding area exhibits multiple examples of illuminated billboard signs, alongside advertisements of other types. To the north of the site there is a large LED billboard positioned at an elevated height overlooking the corner of London Road and Ducie Street. Approximately 20m to the south of the site is a static 48 sheet billboard attached to the undercroft structure which faces west towards Whitworth Street. Further to the south there are two internally illuminated signs, a 48 sheet and 96 sheet accommodated on the same site facing northwards at the corner of London Road and Fairfield Street. The site is also surrounded by prominent street lighting and other illuminated advertisements and signs attached to buildings. It is evident therefore that billboard advertising is an established feature within the surrounding commercial area and that the proposed digital advertisement would be in-keeping with the precedent set by other signs of a similar nature in the surrounding vicinity.
- 5.15 The officers report states, *'It is considered that the proposed advertisement would not be consistent with the strategic regeneration objectives for Piccadilly Station and would hinder regeneration efforts and investment to provide a high quality public realm and improve visual amenity in the area'*. As the Manchester Piccadilly area has been earmarked for regeneration, in our view it would be appropriate that advertisements within the area are modernised and take advantage of new technology and investment opportunities to ensure consistent quality of advertisement images and a reduction in waste. The upgrading of the site combined with the consolidation of advertisements in removing the second sign on this site is, we believe, consistent with the regeneration aims for the area.
- 5.16 The officer's report specifically indicates that the *"proposal site lies adjacent to the proposed site of 'The Boulevard' as set out in the Piccadilly SRF"* and goes on to highlight that the Boulevard will be a vital artery between Piccadilly Central and the rest of the city centre and station. However, the appeal site is not located adjacent to the envisaged 'Boulevard', which if it comes into existence would be situated a significant distance to the north-east of the site, on the opposite side of the existing railway station, entirely separated from the appeal site by the entirety of the existing railway station as well as the new HS2 station. As such, the proposed development in its location adjacent to London Road would not impact this part of the regeneration proposals in any way.
- 5.17 It is also important to note that any regeneration proposals for Piccadilly Station are dependent upon the progression of the delivery of HS2 Phase 2b, which is a long-term project by central Government which is not anticipated to be completed until 2035-2040. This represents an unrealistic time period for the Council to withhold support for investment opportunities in the area, such as that proposed. Furthermore, Manchester City Council's preferred development approach for the delivery of HS2 at Manchester Piccadilly as set out in the Piccadilly SRF does not align with central Government's own proposals, with HS2's own proposals currently the

subject of petitioning by the Council to central Government. As such, the approach to any regeneration of Manchester Piccadilly Railway Station and a new HS2 station remains very much to be confirmed.

- 5.18 In conclusion, in seeking to utilise an established location for advertisements in a busy city centre location which benefits from deemed consent, the siting of the proposed advertisement sign does not present a justified reason for refusal, in replicating an existing sign position.

Visual Amenity

- 5.19 We are of the view that insufficient weight has been provided in the Council's decision making process to the benefit to visual amenity which would be delivered through reducing the overall number of advertisements which would be displayed at the site. In reducing the number of advertisements at the site from 2 to 1 there would be a tangible improvement for the visual amenity of the street scene, removing an advertisement board from view for pedestrians and drivers travelling along London Road. The reduction in the number of advertisements on site would also contribute to the further regeneration of the area through de-cluttering the area and improving views of the listed undercroft.
- 5.20 It is telling that the Local Planning Authority have not used their powers to seek the remove of deemed consent from the existing signs at this location for over a decade. This provides clear evidence that the existing signs have not, and are not, causing a material harm to visual amenity or the character of the listed structure.
- 5.21 The Officer's Report makes a point that *'the continued display of the advertisement would not represent an upgrade in appearance of a major radial entry route as it would screen the side elevation of a listed building and diminish the legibility of the listed Piccadilly Station.'* To the contrary, in the proposals offering the removal of the existing sign fixed on the northern side of undercroft, this would actually reduce the screening of the listed undercroft, improving views of this structure to the benefit of visual amenity. The proposed new sign, in replicating the size and position of the existing sign, would not screen the listed building to any greater extent.
- 5.22 In contradiction to the Council's assessment of the application in concluding that the proposed digital advertisement would have a detrimental impact for the visual amenity of the area, Appendix E provides a number of relevant examples of sites within the Manchester City Council Local Planning Authority area, where LED digital billboard signs have been installed or where recent advertisement consents have been granted for the upgrade of static signs to a digital format. The examples presented include a number of sites adjacent to main arterial roads within the city centre, very similar to the character exhibited by the appeal site. This illustrates that digital advertisements already form part of the established urban character on the local area's arterial roads, with the further transition towards digital advertisements inevitable in such urban environments as advertisers move towards this format.

- 5.23 Finally, it should be noted that the proposed sign would not incorporate any moving, flashing, or animated images, with the rotation of advertisement images being instantaneous. The advertisement images will all be static and there would be no fading or merging of images as the adverts rotate. This will replicate the existing arrangement at the site, with the switch to a digital display having minimal impact for the character of the street scene.

Impact on Heritage Assets

- 5.24 The Council's assessment of the application considers that the proposed new sign would result in less than substantial harm to the significance of the Grade II listed Manchester Piccadilly Station, specifically the undercroft. We would challenge this assessment.
- 5.25 In terms of assessing any harm, as previously mentioned, the location is an established one for advertisement use and the proposed 48 sheet advertisement board would replicate the position and orientation of the current advertisement board in place, continuing the status-quo.
- 5.26 It is important in the assessment process to understand the significance of the designated heritage asset. Manchester Piccadilly Station is a large structure with a number of components but can be separated into two separate parts, namely the train shed and the aforementioned undercroft.
- 5.27 Historic England, in their listing entry, identify 3 main reasons for the asset's designation;
- Architectural Interest
 - Historical Interest
 - Group Value
- 5.28 With regards to architectural interest Historic England describe the brickwork for the western section of the undercroft where the advertisement boards are located, *'the retaining walls to the Western Undercroft run along London Road (south-west) and Store Street (west). The London Road wall includes a brick pier with ashlar detailing and a section of C19 brick retaining wall. The wall consists of a large rounded arch with a rusticated-ashlar entablature, boarded fanlight and a late-C20 shop front (disused); above is a section of decorative cast-iron railing.'* The proposed sign would not cover any intricate brickwork or architectural features mentioned in Historic England's description. The section of the undercroft structure to which the sign is proposed has no architectural detailing and as the proposed sign would replicate the current sign on site, the view of the undercroft would remain unchanged.
- 5.29 The officers' report also refers to the Grade II listed London Road Fire Station, stating the proposals *'would also affect the setting of the London Road Fire Station when looking northwards from London Road.'* As the proposed advertisement sign will replicate the position and orientation of the current externally illuminated sign, the changes would have a non-material impact on views and the setting of the London Road Fire Station. The listed Fire Station is approximately 70m away to the south of the site, and visually separated by being on the opposite side of London Road. In the context of this busy, commercial, city centre locations, and

with consideration to the separating distance, we do not consider that the character or setting of the listed Fire Station would be materially impacted by the proposals.

- 5.30 In terms of offering public benefits as required by the NPPF where less than substantial harm would occur to a designated heritage asset, there are two beneficial aspects of the scheme. Firstly, the scheme would see a reduction in the number of signs at the site from 2 to 1, improving views of the listed viaduct and having a de-cluttering effect for the setting.
- 5.31 Secondly, any revenue generated from Network Rail's advertisement portfolio is made in the public interest, given their status as a regulated public sector company. Revenue generation at their sites goes back towards investing in the UK's railway infrastructure across the network, leading to improved services and stations facilities for the public.
- 5.32 In conclusion, we do not consider the proposed development would result in any material harm to the significance of the designated heritage asset, given the site's context, the nature of the listed train shed and undercroft in being such a sizeable structure, and the lack of any impact to any architecturally significant elements upon the undercroft itself. The setting of the nearby London Road Fire Station will also not be materially impacted. Furthermore, public benefits would be achieved, both for visual amenity and public services.

Conclusion

- 5.33 In consideration of the application, it is important to provide due regard for the well-established nature of the application site to support illuminated advertisements.
- 5.34 For the reasons outlined above, we consider the proposed development provides an overall, on-balance, benefit to the visual amenity of the street scene through reducing the number of advertisement signs in place from 2 to 1. We do not consider that the replacement of an existing static sign, with a sign of matching size and positioning, but featuring a digital display, would have a detrimental impact upon the London Road street scene.
- 5.35 Our assessment has presented the case as to why we do not believe that the small-scale proposal presented would materially harm the significance or setting of the listed undercroft or listed Fire Station, given proper consideration to their context and scale. The proposed development would also provide public benefits in the form of reducing visual clutter and generating revenue for reinvestment in the public railway network.
- 5.36 The reason for refusal indicates; *The proposed advertisement would by virtue of its size, location, design and appearance have a detrimental impact on visual amenity, character, appearance and ongoing regeneration of the surrounding area constituting an unduly obtrusive, incongruous and overly dominant feature to the listed building on which it would be located and within the wider street scene.* We have outlined why each of these factors would not materially cause harm to the street scene or the listed structure when accurately considered in the context of the site.
- 5.37 Advertisements already present a dominant prominent characteristic in this location, given the prevalence of such installations around the application site. Furthermore, there are a number

of additional signs of a similar size and scale within the direct vicinity, specifically to the south along London Road and to the north at the corner of London Road and Ducie Street. The proposals in rationalising the number of advertisements will reduce visual clutter to the benefit of visual amenity in the area.

- 5.38 With appropriate consideration given to the site's contest, we do not consider the proposal to be contrary to Paragraph 136 of the NPPF which specifically relates to advertisements or Section 16 which deals with the historic environment. Similarly, with the benefits provided to declutter the site, we consider that the proposal can be found in accordance with the Local Development Plan and the Manchester Piccadilly Strategic Regeneration Framework, with there being no material harm caused to the street scene or the character of the surrounding area.

6 CONCLUSION

- 6.1 This appeal statement is submitted in support of an appeal against the decision of Manchester City Council to refuse advertisement consent application on 28th June 2022 for the following development at The Corner of London Road and Store Street, Manchester, M1 2PF;
- 6.2 *'Installation of 48 sheet digital LED billboard'*
- 6.3 The application was refused on the basis of visual amenity and that less than substantial harm would be caused to the grade II listed Manchester Piccadilly Station undercroft and the nearby London Road Fire Station. This statement has presented the case that the proposed development would not have a material detrimental impact upon the street scene, the wider area, the listed undercroft structure to which it would be attached or the neighbouring Fire Station building.
- 6.4 There are currently 2 advertisement boards on site, one 48 sheet externally illuminated board facing north which is proposed to be replaced and one 48 sheet externally illuminated board facing south which is proposed to be removed. A tangible improvement would be achieved for visual amenity by the proposals in rationalising the number of signs from 2 to 1.
- 6.5 Whilst incorporating digital LED illumination, it has been explained as to why this can be suitable controlled by industry standard conditions, with it ultimately not considered that this proposed change would have a material detrimental impact for the visual amenity of the area.
- 6.6 This Statement establishes that any impacts of the proposal would be negligible when appropriately assessed against the existing situation. When applying a balanced judgement, it seems reasonable that the decision of the local planning authority should be overturned and that this proposal be granted advertisement consent.