



Ministry of Housing,
Communities &
Local Government

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Date: 13 February 2020

Dear Mr Jones

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)
(ENGLAND) REGULATIONS 2007: ("the Regulations")
REGULATION 7: DIRECTION RESTRICTING DEEMED CONSENT**

1. I am directed by the Secretary of State to refer to the request made by Manchester City Council ("the Council") on 25 May 2019 for a Direction that deemed consent for the display of To-Let boards relating to the letting of premises, which are advertisements under Class 3A of Schedule 3 to the Regulations, should be withdrawn from certain areas of Manchester.

2. The Council's request for the making of the Direction was publicly advertised in the local press on 5 July 2019. The Secretary of State has received no objections to the proposed Direction and nineteen letters in support of making the Direction.

The Proposed Areas

3. The Direction would cover the following areas in Manchester, namely:

- Moss Side
- Fallowfield Central
- Moseley Road/ Ladybarn Lane
- Wilmslow Road/ Wellington Road
- Wilmslow Road/ Egerton Road
- Yew Tree Road / Mauldeth Road West

The areas are identified on maps provided by the Council and are identified in the plans, annexed hereto.

The Council's reasons for making the Direction

4. The Council considers that there is a proliferation of to let boards in certain areas of the city. In particular the areas identified are characterised by a high concentration of rented accommodation with significant student occupation. The number of to-let boards have become excessive and this is affecting the visual amenity of these residential areas.

5. The council carried out consultation with local residents, letting agents and community groups in relation to the impact of letting boards in February 2019. The council advised that there were no responses opposing the introduction of a Direction, high positive responses supporting the principle of the introduction of such a Direction with lower support for a voluntary code. The council advised that no responses were received from letting agencies in the proposed areas demonstrating that there is unlikely to be a high take up of a voluntary code.

6. The council considers that the removal of deemed consent rights would provide an efficient and effective way of enabling control of the display of these advertisements with a reduction in the number of boards inappropriately displayed and consequent improvement in the visual amenity of the areas.

Description of Proposed Areas

7. The areas covered by the direction are all located in the south of the city.

8. Moss Side – predominantly a residential area, although a number of properties along Great Western Street have ground floor commercial premises with flats above. The area is predominantly characterised by closely spaced two storey terraced properties, either fronting directly onto the pavement or having shallow front defensible spaces bounded by low walls and railing. There is limited soft landscaping evident in the streets, which results in uninterrupted views along most streets.

9. Fallowfield Central – there is a grid pattern of closely spaced two storey terraced housing presenting to the back edge of the pavement or with the shallow front spaces delineated by low brick walls. Views along the streets are relatively unimpeded and there is limited landscaping.

10. Moseley Road/ Ladybarn Lane – the area is characterised by predominantly two storey terraced housing built to the back edge of the pavement or with shallow front space delineated by low walls, railings or hedges. There are some street trees within the area and an off-road pedestrian, cycle and horse-riding route, the Fallowfield Loop, cuts through the middle of the area providing some visual interest and relief and softening with trees and landscaping.

11. Wilmslow Road / Wellington Road – the area contains a variety of properties, semi detached houses, with rooms in the roof, lit by dormer windows of brick or wood. As well as areas of recreational uses (Bowling Clubs), and purpose-built flat blocks. There is a variation in colour and materials for the facades, and the front amenity spaces are greater in depth than those previously and contain a greater degree of soft landscaping including gardens, hedging trees.

12. Wilmslow Road /Egerton Road – the area is characterised by large semi-detached properties with properties set well back from the frontages and having large front gardens bounded by hedges, walls and railings. There is a significant degree of green infrastructure with street trees, landscaped front gardens, hedges and garden trees creating a softer and more suburban appearance.

13. Yew Tree /Mauldeth Road West – this is an irregularly shaped area, characterised by terraced housing, some with shallow defensible front spaces or others built directly abutting the back edge of the footway. There is some variety in architectural detailing with bay windows, arched doorways and brick detailing and there is some limited landscaping / hedging.

Appraisal

14. Taking into account a site visit and representations made in response to the Council's initial announcement to seek a Direction, the Inspector agrees with the Council that there is a significant problem with to-let boards and their proliferation has had a harmful effect on the visual amenity of the areas concerned. A Regulation 7 Direction to remove deemed consent, therefore, is required to improve visual amenity in line with government policy, as set out in paragraph 68 of the National Planning Policy Framework.

15. At paragraph 20 of his report, the Inspector considers that the position of housing within these areas, for the most part set close to or on the back edge of pavements has created enclosed urban environments. As a result, the bold projecting boards attached directly to the front of the houses or on poles in the shallow frontages are particularly prominent. The Inspector considers that the signs are designed as temporary features and when they are in place for substantial periods of time, the uncharacteristic form, nature and materials of the signs are seen as visual clutter, being alien and intrusive additions which detract markedly from the appearance of the street scene.

16. At paragraph 21 of his report, the Inspector considers given that all the areas are either densely populated, in prominent locations or include through routes, the harm caused to the visual amenity of the areas is experienced by large numbers of people.

17. At paragraph 22 of his report, the Inspector notes that it is clear from the evidence provided that the local planning authority has endeavoured to address the complaints it has received using its enforcement powers and by informal means. However, there are practical difficulties regarding monitoring the length of time boards have been erected which limits the effectiveness of enforcement. The Inspector considers that there is no prospect of a sustained improvement in the quality of advertising in these areas unless

deemed consent is removed, and a reduction in the number of signs in the areas concerned would significantly improve the appearance of these areas.

18. In conclusion, the Inspector agrees with the Council and that the Direction is necessary and would safeguard and improve the visual amenity of the areas concerned. The Inspector recommends that the proposed Direction is made covering the areas applied for and although the council has not suggested a time limit, in the Inspectors view, the Direction should apply initially for a period of 5 years. The Inspector considers that this would provide sufficient time for the Council to pursue compliance with the Direction and monitor and review its effectiveness.

Formal Decision

19. For the reasons set out above, the Secretary of State is satisfied that a Direction should be made to control the display of advertisements relating to the letting of premises within the areas of Manchester identified below and on the map submitted by the Council for a period of 5 years.

- Moss Side
- Fallowfield Central
- Moseley Road/ Ladybarn Lane
- Wilmslow Road/ Wellington Road
- Wilmslow Road/ Egerton Road
- Yew Tree Road / Mauldeth Road West

20. A formal Direction is attached. The Council's attention is drawn to the provisions of Regulation 7(7), which specify the procedure for publishing the effect and date of operation of the Direction.

21. When this Direction is brought into effect, the display of boards in respect of the letting of premises may only be undertaken lawfully in the areas specified in paragraph 15 above, when the Council have granted express consent for their display. In order not to prejudice the interests of persons wishing to display advertisements for property lettings, the Council are invited to ensure that any such applications for express consent are decided within the period specified in Regulation 14(1) of the Regulations.

Right of Appeal against the Decision

22. The decision of the Secretary of State may be challenged by way of an application to the High Court and a separate note is attached to this letter setting out the circumstances in which such an application may be made.

Yours sincerely,

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