

Appeal Decision

Site visit made on 2 March 2017

by Martin H Seddon BSc DipTP MPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 March 2017

Appeal Ref: APP/B4215/Z/16/3162471

Travis Perkins Trading Limited, Holt Street, Manchester, M40 5AX

- The appeal is made under section 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Rob Smith against the decision of Manchester City Council.
 - The application Ref 113908/AOH/2016 dated 13 September 2016 was refused by notice dated 1 November 2016.
 - The proposed advertisement is back to back freestanding illuminated LED 48 sheet displays each measuring 3m x 6m.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The advertising unit is proposed to replace an existing non-internally illuminated advertisement which is located within the premises of Travis Perkins and visible over the top of a boundary wall at the side of Oldham Road. The Council advises that the existing advertisement is unauthorised.
3. The Council has referred to saved policy DC15 of the Unitary Development Plan for the City of Manchester, City Wide Development Control Policies and policy DM1 of the Manchester Core Strategy, which generally concern the control of advertisements and development management. Development plan policies cannot be decisive because the regulations to control advertisements and the National Planning Policy Framework indicate that decisions should be made only in the interests of amenity and public safety, taking account of cumulative impacts. However, these policies have been taken into account as a material consideration in this appeal.

Main issue

4. The Council raises no issues of public safety, subject to conditions. Although the site is in a prominent location next the busy Oldham Road there is no evidential basis to form a contrary view. The main issue is therefore the effect of the proposed advertising unit on visual amenity.

Reasons

5. The advertisement would be located within a predominantly commercial area, with some of the buildings being modern in appearance. Oldham Road is a principal route that connects to the city centre. The signage for the commercial premises in the immediate vicinity of the appeal site is restrained in
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appearance and visual impact. The street scene is generally uncluttered, apart from lighting columns, traffic signs and unauthorised poster signs on the boundary wall to the appeal site and adjacent premises. There is also an illuminated totem sign and flags at the Holiday Inn, which is located on the opposite side of Oldham Road.

6. Although the proposed advertising unit would be next to, and near to commercial premises and the hotel, and not in a conservation area, it would be a visually prominent and intrusive feature. This is because of its greater size and height compared to the existing advertisement. The large lit advertising unit, high above the boundary wall, would stand out as a discordant feature in the hours of darkness for people travelling along Oldham Road.
7. I find that the proposal would conflict with the National Planning Policy Framework. This is because it would be poorly placed and would have an appreciable impact on its surroundings and a harmful effect on the amenity of the area, through its siting, size, appearance and illumination.
8. All other matters raised have been taken into account, including the appellant's suggested conditions regarding static images, no moving element to the display and minimum duration of display. However, such conditions would not overcome the harm to amenity from the advertisement that I have identified. For the reasons given above the appeal is dismissed.

Martin H Seddon

INSPECTOR