
Appeal Decision

Site visit made on 11 December 2017

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 20th December 2017

Appeal Ref: APP/B4215/Z/17/3180713
130 Princess Road, Manchester M16 7BY

- The appeal is made under Regulation 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 Leeds Properties against the decision of Manchester City Council.
 - The application Ref 115790/AOH/2017, dated 29 March 2017, was refused by notice dated 25 May 2017.
 - The advertisement proposed is 2 no. high level double sided LED advertisement displays.
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisements as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations:-
 - 1) The structure incorporating the LED digital display panel hereby approved shall be displayed only in accordance with the following:
 - a) No individual advertisement displayed on the LED panels shall contain moving images, animation, video or full motion images or any images that resemble road signs or traffic signals.
 - b) No individual advertisements shall be displayed for a duration of less than 10 seconds.
 - c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panels.
 - d) The display panels shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.
 - e) A mechanism shall be in place to ensure that if the installation breaks down, it shall default to a blank screen, to avoid any flashing error messages or pixilation.
 - f) The maximum luminance of the advertisements displayed on the panels shall not exceed 600cd/m² during non-daylight hours/inclement weather.

Main Issue

2. The main issue in the appeal is the visual impact of the proposed advertisements on the building and within the surroundings.

Reasons

3. The appeal relates to a modern commercial building located on a corner plot of a busy road junction. Princess Road is a major radial route into and out of Manchester City Centre and so carries high volumes of traffic. The surrounding area is predominantly commercial and industrial in nature, although there is some housing to the west of the site. The building currently has 3 high level company signs along the Princess Road elevation, and the proposed 'V' shaped display boards would be located where two of these signs are currently located.
4. The Council has previously granted consent for identical displays on the building subject to a condition restricting their use for adverts relating to the use of the building or community related broadcasts. As such, they have not raised an objection to the principle of the advertising displays themselves but to the visual impact on the area and host property of them being used for general advertisements.
5. The *Planning Practice Guidance*¹ indicates that control over the display of advertisements, can only be taken in the interests of amenity and public safety and that unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused.
6. Whilst there are a wide variety of general advertisements in the area, advertisements and signs actually on buildings in the area, do largely relate to the businesses within them. In addition, I understand that the large LED display on the building to the north of the site, sought consent solely to be used for community related broadcast and uses related to the premises, and so has been restricted to this end.
7. Notwithstanding this, such advertisements could still involve the display of a huge range of different images, and these may not be significantly different to general advertisements. Moreover, I am not persuaded that the use of these advertising displays for adverts unrelated to the use of the premises, would give the façade a more cluttered appearance or make the displays appear any more dominant or incongruous. Therefore, I consider that the subject of the advertisements on the display panels would not give rise to any specific amenity issues and that the appeal scheme would not be detrimental to the visual amenity of the area.
8. I have taken into account Policy DM1 of the *Manchester Core Strategy Development Plan Document (adopted July 2012)* and Policy DM15 of the *Unitary Development Plan for the City of Manchester (adopted July 1995)* which seek to protect amenity and so are material in this case. Given I have concluded that the proposal would not harm amenity it does not conflict with these policies.

Conclusion and Conditions

9. For the reasons set out above, the advertisements would not harm the visual amenity of the building to the surrounding area and so the appeal should be allowed.
10. As well as the standard conditions for advertisements, in the interests of highway safety conditions are required: to prevent the display of any

¹ Paragraph Reference ID: 18b-026-20140306

advertisements that depict any images that resemble road signs or traffic signals and moving images; to ensure a smooth transition between images and the length of time images are displayed; to ensure that there are no error messages displayed in the event of a breakdown; and to restrict the levels of luminance during hours of darkness and at other times to ensure they respond to the ambient light levels. With regard to the luminance levels I have altered the wording suggested by the Council, as I consider a maximum luminance level of 300 cd/m² at any time of the day is unreasonable.

Alison Partington

INSPECTOR