
Appeal Decision

Site visit made on 18 November 2019

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 21st November 2019

Appeal Ref: APP/B4215/Z/19/3238692

133A Cheetham Hill Road, Manchester M8 8LY

- 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 Mr Stephen Doolin against the decision of Manchester City Council.
 - The application Ref 124060/AOH/2019, dated 28 June 2019, was refused by notice dated 14 August 2019.
 - The advertisement proposed is an LED display.
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Decision

1. The appeal is dismissed.

Procedural matter

2. While the evidence refers to an existing hoarding displayed at the site, which is shown on the artist's impression, no such sign was evident at the site visit.

Main issue

3. The main issue is the effect of the proposed advertisement on visual amenity.

Reasons

4. The proposal is an externally illuminated LED display unit on the flank wall of the appeal building, which stands at the junction between Cheetham Hill Road and Derby Street in an area of mixed character. It would be placed to one side of the host wall to primarily face northbound users of Cheetham Hill Road, which is a busy highway. As the appellant points out, existing advertisements along Cheetham Hill Road in particular are numerous and varied. From what I saw, most existing signage in the immediate vicinity of the site was largely at street level and often closely associated with retail and commercial premises.
5. According to the appellant, the proposal is a replacement for an existing hoarding albeit modernised to include a digital display that would show images changing at intervals of not less than 10 seconds. However, it is unclear whether the sign that was previously in place benefited from deemed consent by virtue of the Regulations (as amended). Reference is also made to existing signage on the appeal building although I note that the Council states that 2 fascia signs relating to the ground floor unit and 2 advertisements at first floor level are unauthorised.
6. When seen from Cheetham Hill Road just to the south of the site, the flank wall on which the new LED unit would be displayed stands tall above the forecourt

to the garage with its plentiful signage in the foreground. From this direction, the proposal would appear as a substantial feature in the street scene due to its considerable size and elevated position. As a single LED display unit on the sidewall, it would not unduly add to visual clutter on the building itself. It would, however, project well above the general commercial aspects of the existing premises and roadside signs in the vicinity of the site. Consequently, the impact of the display of advertising material would be significant. That advertisements on the new digital display would be clear and sharp in their detail, regularly change and be illuminated, would also draw the eye from the road especially after dusk, thereby visually accentuating its roadside presence.

7. It is in the northbound approach to the site along Cheetham Hill Road that the proposed display would be particularly evident. From some distance along this highway, the proposal would be highly conspicuous given its scale, high level position, external illumination and the changing displays. While the proposal would be similar in size to the previous sign, the new digital display would introduce a crisper image compared to its predecessor and in contrast to most advertising that predominates in the local area. While the brightness and hours of illumination could be controlled by conditions, the new display would still visually dominate this stretch of commercial and retail frontage. Therefore, the proposal would be overly dominant and unduly harmful to visual amenity.
8. Being noticeable obviously reflects the main purposes of the proposal, which is to draw the eye of people passing by and to inform them of the information displayed on the screen. As Cheetham Hill Road has many retail and commercial premises along it, advertisements are an expected feature of the street scene, some of which would be illuminated. Even so, I observed that existing advertisements are generally smaller and set a lower level than the proposal. As such, they would have a less harmful impact on the visual amenity of the local area than would be the case with the appeal scheme. While I saw some advertisements on gable walls of existing buildings, none were directly comparable with the proposal before me in terms of design, size, illumination and prominence within the local street scene.
9. Reference is made to other advertisements that have been allowed on appeal at Commercial Road, Kirkstall and Pin Mill Brow, Manchester, which I have taken into account. I have, however, assessed the proposal on its own merits, as I am required to do. That the new LED unit would be more capable of withstanding adverse weather and be less prone to maintenance than its predecessor does not outweigh the harm that I have identified.
10. The main parties have referred to various planning policies as well as the National Planning Policy Framework. The Regulations to control advertisements require that decisions be made only in the interests of amenity and public safety. As such, the planning policies cited cannot, therefore, be decisive, but I have taken them into account as a material consideration.
11. The Council raises no issue in relation to public safety. From the submitted evidence, I have no reason to disagree with that finding. Nevertheless, for the reasons given I conclude that the proposal would be detrimental to the interests of visual amenity. Therefore, the appeal is dismissed.

Gary Deane

INSPECTOR