



Appeal Decision

Site visit made on 4 February 2020 by Hannah Ellison BSc (Hons) MSc

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/B4215/Z/19/3241163
647 Crane Street, Manchester M12 6FJ

- 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 Smartregisters Ltd against the decision of Manchester City Council.
 - The application Ref 124270/AOH/2019, dated 9 July 2019, was refused by notice dated 25 September 2019.
 - The advertisement proposed is a single sided freestanding 48 sheet (6m w x 3m h) digital advertisement with an associated logo box.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Council has drawn my attention to a number of policies they consider to be relevant to this appeal and I have taken them into account where relevant. However, the powers to control advertisements under the Regulations¹ may be exercised only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance reiterate this approach.

Main Issue

4. The main issue is the effect of the advertisement on the visual amenity of the area.

Reasons

5. The appeal site relates to the surface car park of a three-storey industrial building at No 128 Fairfield Street, accessed via Crane Street. It is bordered to the east by a footway and the A635 ring road, which is raised above the appeal site. Both the building, railway viaduct and surrounding uses give the immediate area a strong commercial and industrial character.
6. The proposed digital advertisement would display static, luminated images which could change every 10 seconds. It would occupy a raised position, of

¹ The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

comparable height to the first floor of No 128 Fairfield Street, and would be single sided, orientated to face the northbound carriageway of this stretch of the A635. The straight alignment of this stretch of highway would allow the proposal to be fully legible from the exit of the viaduct. As a result of its siting the proposed advertisement would be highly prominent and visually intrusive within the locality. Furthermore, its height and overall scale would cause it to be of an excessive size and therefore an overly dominant addition to the street scene. I note that the appellant has offered to limit luminance levels by condition however I am not persuaded that this would negate the harm to the visual amenity of the area as noted above.

7. There is an existing digital advertisement immediately adjacent the appeal site, which is of substantial width and elevated on a large support. From the evidence before me, it appears to have been granted consent at appeal on three separate occasions, with each decision referring to the visual appearance of the area. However, as the advertisement is now in situ, its presence has undoubtedly altered the character and appearance of the locality from the time of those decisions. The Framework is clear, at paragraph 132, that the quality and character of places can suffer when advertisements are poorly sited and designed. Therefore, based on the current context of the immediate area, particularly the siting of the existing digital advertisement and a further poster advertisement fixed to the viaduct, this proposal would lead to a cluttered proliferation of advertisements within the locality, thus detracting from the character of the area.
8. My attention has also been drawn to an advertisement hoarding which was fixed to scaffolding along the eastern elevation of No 128 Fairfield Street. I do not have the full details of its approval before me, however based on the limited information provided, I note it was granted temporary consent for a period of 6 months. This was likely to coincide with works to the building. As such, I do not afford this matter any significant weight in support of this proposal. In any event, this appeal has been considered on its own merits and I have found it would cause harm as identified above.
9. Consequently, taking all the above into consideration, this proposal would result in unacceptable harm to visual amenity. It would be contrary to guidance within the Framework and policies EN1, SP1 and DM1 of Manchester's Local Development Framework, Core Strategy (July 2012) and DC15.1, DC15.2 and E3.3 of the Unitary Development Plan for the City of Manchester (July 1995) which, although not decisive and vary slightly in their wording, collectively seek to ensure proposals do not harm the character of the area.
10. Concern has been raised that the advertisement could hinder the regeneration of the area. In view of my findings above, it is not necessary to consider this matter in detail.

Conclusion and Recommendation

11. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR