

---

# Appeal Decision

Site visit made on 26 May 2020

**by Andrew McGlone BSc MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 29 May 2020**

---

**Appeal Ref: APP/B4215/Z/20/3245836**

**Capricorn Security Group Holdings LTD, 1035 Oldham Road, Newton Heath, Manchester M40 2NW**

- 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 William Robinson of Capricorn Security Group LTD against the decision of Manchester City Council.
  - The application Ref 125437/AOH/2019, dated 12 November 2019, was refused by notice dated 11 December 2019.
  - The advertisement proposed is an external LED double sided display to broadcast 3rd party advertisements.
- 

## Decision

1. The appeal is dismissed.

## Main Issue

2. I agree with the main parties that the proposal would not be detrimental to public safety. Thus, the main issue is the effect that the proposed advertisement would have on the visual amenity of the surrounding area.

## Reasons

3. The appeal site lies on the north side of Oldham Road, which is one of the principal arterial roads leading from the outskirts of Manchester to the city centre. The road is normally busy and lit. The site comprises of a commercial building, its associated forecourt and car park which are enclosed by fencing. Hopwood Street lies to the east. Warden Street is to the west. The surrounding area is characterised by a mix of commercial and residential properties. Adverts accompany commercial premises. Road signs are on Oldham Road. Opposite the site on Troydale Drive are two storey terraced dwellings.
4. The proposed advert would be orientated so its display faces east and west. Consequently, the display would face towards users of Oldham Road in a prominent location close to the pedestrian footway. The height of the advert would be below that the adjacent commercial premises and of the street lighting columns on Oldham Road, but the building is set back from the road and street lighting columns are considerably slimmer than the proposed advert. Although there are advertisements in the immediate vicinity, these are smaller and attached to commercial premises. The proposal on the other hand would be a large, dominant addition to the street scene and result in an acceptable harm to the visual amenity of the area, especially when it is viewed from near

and afar on Oldham Road and Troydale Drive even in the context of the varied form, style and finish of nearby buildings.

5. Concerns are raised by the Council about the advert's illumination. The proposed luminance level at 5000 cd/m<sup>2</sup> would mean that the advert would be a bright and prominent feature even at the appeal site during night-time hours. The effect would be particularly stark and harmful for residential occupiers in properties on Troydale Drive who have lounges and bedrooms facing the site, and to those with side facing windows in Warden Street. Views from properties on Troydale Drive would not be oblique as the appellant suggests. However, I am not satisfied that harm would be caused to the visual amenity of residents living on Hopwood Street due to the proposal's siting and the screening afforded by the commercial building.
6. The proposal would be positioned within a small grassed area. At best this makes a very slight contribution to what is an urban environment given that there are no trees or shrubs present as suggested by the Council. Hence, the proposal would not detract from the visual amenity of the surrounding area.
7. The Council have cited Policies EN1, SP1 and DM1 of Manchester's Core Strategy Development Plan Document and saved Policies E3.3, DC15.1 and DC15.2 of The Manchester Plan The Unitary Development Plan for the City of Manchester. These seek development of the highest quality which makes a positive contribution to the character of the locality so that it improves the appearance of the City's major road routes; and consider development's effect on amenity. Thus, they are material in the consideration in this case. I have also had regard to paragraph 132 of the National Planning Policy Framework which says that the quality and character of places can suffer when advertisements are poorly sited and designed.
8. I consider that the proposed advertisement would have a harmful effect on the visual amenity of the surrounding area. I therefore conclude that the advert would not be acceptable in terms of visual amenity, and that conflict would be caused with the policies that I have referred to above.

## **Conclusion**

9. For the reasons set out above, I conclude that the appeal is dismissed.

*Andrew McGlone*

INSPECTOR