



Appeal Decision

Site visit made on 23 June 2020

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2020

Appeal Ref: APP/B4215/Z/20/3250083

**Hoarding on gable end of 782 Wilmslow Road fronting Grove Lane,
Manchester, M20 2DR**

- 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 Clear Channel against the decision of Manchester City Council.
 - The application Ref 124681/AOH/2019, dated 24 July 2019, was refused by notice dated 5 February 2020.
 - The advertisement proposed is described as *"upgrade of existing 48 sheet advert to support digital poster"*.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has drawn my attention to the policies it considers to be relevant to this appeal and I have taken them into account as material considerations. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.
3. No site address is provided on the planning application form. The address given above is therefore taken from the Council's Decision Notice.

Main Issue

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

Reasons

5. The appeal building is 2.5-stories in height and forms part of a retail parade that has a traditional appearance. It is located within Didsbury District Centre, and many of the surrounding properties along Wilmslow road are occupied by shops, restaurants and bars.
6. The proposed LED advertisement would be in the same position as the existing paper and paste display. However, its prominence would be amplified by its LED design and luminance, and the changing nature of the images. In this regard, it would become far more eye catching and noticeable than the current non-illuminated display. This would be particularly the case during the hours of darkness when it would become a dominant feature in an area that currently

lacks this type of advertisement. In my view, it would be an overbearing and discordant feature within the street that would visually jar with its surroundings. A number of conditions have been suggested by the appellant that would control the illumination and frequency/method of change. However, these conditions would not overcome my concerns in this regard.

7. It is asserted that an illuminated trivision billboard was in place at the appeal site between 2008-2012. However, that advertisement has not been displayed for some time, and in any case, it was a far less striking and dominant feature based on the images that have been provided. Similarly, whilst there are other non-illuminated paper and paste adverts along Wilmslow Road these are of a different design and are not directly comparable to the appeal proposal.
8. For the above reasons, I conclude that the proposed advertisement would be detrimental to the interests of visual amenity. I have taken into account saved Policy DC15 of the Unitary Development Plan for the City of Manchester (1995) and Policies DM 1 and EN 1 of the Manchester Core Strategy (2012), which seek to protect amenity and so are material in this case. Given I have concluded that the proposal is harmful to amenity, it also conflicts with these policies.

Other Matters

9. The nearest residential property on Grove Lane is approximately 18 metres from the proposed advertisement. Given this intervening distance, the proposal would be unlikely to have a significant effect on aural amenity.
10. The Council's Officer Report refers to planning application Ref 124395/FO/2019 which proposes the creation of a first floor flat at No 782 Wilmslow Road. However, that application has not yet been determined and so I have not taken it into account in my consideration of this appeal.
11. The appellant has provided a detailed submission in relation to public safety matters, and the Council has not objected to the proposal on these grounds. Based on the information before me, I see no reason to take a different view.

Conclusion

12. As set out above, I consider that the appeal proposal would be detrimental to the interests of visual amenity. Whilst it would provide some environmental benefits compared to the existing paper and paste advertisement, and additional business rates revenue to the Council, that does not alter my view that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR