
Appeal Decision

Site visit made on 12 August 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2020

Appeal Ref: APP/B4215/Z/20/3254227

850 Stockport Road, Manchester M19 3AH

- 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 UK against the decision of Manchester City Council.
 - The application Ref 126343/AOH/2020, dated 11 February 2020, was refused by notice dated 21 April 2020.
 - The advertisement proposed is 1no. internally illuminated LED sign to replace existing 48 sheet poster billboard.
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Decision

1. The appeal is allowed and express consent is granted for the display of an internally illuminated LED sign to replace existing 48 sheet poster billboard 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 Regulations¹, and the following additional condition:
 - 1) The display of advertisements shall be implemented on the basis of the following measures, which shall remain in place throughout the period of the advertisement consent as hereby authorised:
 - (a) No individual advertisements displayed on the LED screen shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs;
 - (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 screen;
 - (d) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation;
 - (e) The maximum luminance level of the advertisements displayed on the screen shall not exceed 300 candela per sqm.

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

Procedural Matter

2. I have taken the description of the advertisement from the Council's Decision Notice as this is more precise.

Main Issue

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

Reasons

4. The appeal site is located on a busy high street that is predominantly made up of retail and commercial properties, most of which have some form of advertisement on the premises. It is a dense urban area, with the busy road providing a continual level of activity and transiency. The site is located on the corner of Stockport Road and The Crescent and currently contains three externally illuminated 48-sheet size advertisements, two of which front onto Stockport Road and the other onto The Crescent.
5. The proposal would involve the replacement of one of the advertisements that fronts onto Stockport Road with a digital LED screen of the same size as the existing poster advertisement. It would display static images that would change every ten seconds.
6. The PPG gives an example that, in considering the effect on amenity of a proposed advertisement, a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.
7. It is in the latter context which I find the appeal site. Taking into account the commercialised nature of the surrounding area, where there are numerous advertisements, and the fact that the proposal would replace an existing sign of the same size, I do not consider that it would appear incongruous or dominant in the street-scene.
8. I find that the change from the status quo, whereby a static, externally illuminated poster sign would be replaced with an internally illuminated display or changeable images would, in the context of the site, not have an unacceptable impact on amenity. The level of luminance proposed, which could be controlled by condition, would not result in the advertisement being unduly prominent in the area.
9. I therefore conclude that the proposed advertisement would not have a harmful effect upon amenity, thus it would comply with Chapter 12 of the National Planning Policy Framework (2019).
10. I have taken the Council's identified policies 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. The proposal would comply with the amenity requirements of Policies EN1, DM1

and SP1 of the Core Strategy for the City of Manchester (2012) and Saved Policies DC15.1 and DC15.2 of the Unitary Development Plan.

Conditions

11. In addition to the standard five conditions, it is necessary to impose a condition restricting the luminance of the sign to no more than 300 candela per sqm. This is in the interests of amenity. In the interests of public safety, it is necessary to impose a condition relating to content restriction, changing of images and display of a blank screen in the event of malfunction.
12. As I have found the luminance, as controlled by condition, to be acceptable, it is not necessary to impose a condition requiring the installation of a light sensor.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR