



Appeal Decision

Site Visit made on 15 February 2021

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 March 2021

Appeal Ref: APP/B4215/Z/20/3262571

Land at Oldham Road, Manchester

- 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 Wildstone Estates Ltd against the decision of Manchester City Council.
 - The application Ref 127776/AO/2020, dated 11 August 2020, was refused by notice dated 24 September 2020.
 - The advertisement proposed is a pair of replacement 48 sheet digital LED advertising displays and associated logo boxes.
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Decision

1. The appeal is allowed and express consent is granted for the display of a pair of replacement 48 sheet digital LED advertising displays and associated logo boxes 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 Regulations and the following additional conditions:
 - 1) The intensity of the illumination of the advertisement permitted by this consent shall not exceed the thresholds recommended by the Institute of Lighting Professionals in its Professional Lighting Guide 05 (PLG 05) Brightness of Illuminated Advertisements (or equivalents in a replacement Guide).
 - 2) The sequential advertisements will not change more than once every 10 seconds.
 - 3) Any sequential change between advertisements will take place over a period no greater than one second.
 - 4) No individual advertisement shall contain any moving or apparently moving images.

Preliminary Matters

2. The company name on the application form is stated as 'Wildstobe Estates Ltd'. The appellant has confirmed that this was a typographical error and therefore the appeal has proceeded in the name of 'Wildstone Estates Ltd'.
3. In refusing the application, the Council has cited a number of development plan policies which it considers to be relevant to the proposal. The Regulations and paragraph 132 of the National Planning Policy Framework (the Framework) both make it clear that advertisements should only be subject to control in the interests of amenity and public safety, taking account of cumulative impacts. On this basis, the Council's policies alone cannot be decisive.

Main Issue

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

Reasons

5. Oldham Road is a busy dual carriageway that forms a main arterial route into and out of Manchester city centre. Although located within a deep and verdant grass verge to the side of Oldham Road, the appeal site's surroundings are largely commercial in character with a number of large commercial and industrial buildings located along this stretch of the road. In sum, the site forms part of a typical urbanised roadway, within a commercial area, in which the Planning Practice Guidance concludes that the principle of large advertisements can be acceptable.
6. The proposal consists of a pair of free-standing internally illuminated 48 sheet digital LED displays set out in a 'V' formation and therefore visible to traffic both on the approach to and leaving the city centre. The proposal would replace a former 96 sheet externally illuminated static advertisement display which has since been removed.
7. Visually, the proposal, whilst clearly a contemporary iteration of an advertisement, would not be out of step with the characteristics of the surrounding area. Indeed, the advertisements would be seen in the context of the modern design of the filling station and carwash opposite the site. They would clearly form large and prominent displays, positioned to be highly visible to oncoming traffic. Nevertheless, in my judgement, the site and its location is capable of absorbing the advertisements without detriment to their surroundings.
8. The internal illumination of the proposed display is likely to make them more noticeable than the previous externally illuminated advertisements that existed on the site, particularly during hours of darkness. However, in the context of a well-lit road, and commercial properties with illuminated signage, the appeal proposal would not appear unduly prominent, intrusive or out of keeping. Nor would the proposal significantly contribute to advertisement clutter in the area.
9. I appreciate that the Council are striving to improve the appearance of its radial routes. However, carefully placed digital advertisements of an appropriate scale would not necessarily conflict with this objective.
10. Thus, I consider that the size, location, design, appearance and method of illumination of the proposal would not have an adverse effect on the visual amenity of the surrounding area and therefore it would not be contrary to the provisions of the Framework.
11. I have taken into account saved policies DC15.1, DC15.2 and E3.3 of the Unitary Development Plan for the City of Manchester which together seek to protect amenity and so are material in this case. Given I have concluded that the proposal would not harm amenity, the proposal would not conflict with these policies.

Other Matters

12. In support of the Council's case, my attention has been drawn to two appeal decisions¹ for similar advertisements in the locality. However, I have limited details of these other proposals and therefore I am unable to conclude that they offer a direct comparison to the appeal scheme. In any case, I have considered the appeal with regard to its site specific context and on its own merits.

Conclusion and Conditions

13. For the reasons set out above, the proposed advertisements would not harm the visual amenity of the surrounding area and so should be allowed.
14. I have considered the list of conditions put forward by the appellant and in the interests of clarity and precision I have made some minor revisions. I consider these, together with the five standard conditions for advertisement consent, to be necessary to protect the amenity of the area and in order to maintain public safety.

J M Tweddle

INSPECTOR

¹ Appeal Ref. APP/B4215/Z/18/3211404 and APP/B4215/z/19/3243328