
Appeal Decision

Site Visit made on 28 June 2021 by Hilary Senior BA (Hons) MCD MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 August 2021

Appeal Ref: APP/Q4245/Z/21/3272781

381 Stretford Road, Manchester M15 4AD

- 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 Urban & Provincial Advertising against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 102969/ADV/20, dated 11 December 2020, was refused by notice dated 12 February 2021.
 - The advertisement proposed is Advertisement consent to replace the existing display board with a "D-Poster" which will display digital and illuminated LED advertisement displays.
-

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 Matters

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (Framework). Whilst I have had regard to the revised national policy as a material factor, in this instance the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by such a course of action.
4. The Council has drawn my attention to Development Plan policies it considers relevant to this appeal and I have taken them into account where relevant. However, powers under the Regulations¹ to control advertisements may be exercised only in the interest of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance reiterate this approach.

Main Issue

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

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

Reasons for the Recommendation

6. The appeal site is the gable end wall of a short terrace of commercial properties, facing a grassed area to the rear of the highway, in an area of mixed commercial and residential uses. The area is not designated as a conservation area and my attention has not been drawn to other heritage assets in the locality.
7. Whilst the current advertisement has been in place in this location for some time, the proposal before me would be distinctly different in terms of the digital features. The intermittent changing of the illuminated display would significantly attract attention to them, accentuating the proposal's visual prominence. This would result in a prominent, incongruous form of advertising which would appear as a harmful and dominating feature in the street scene. When viewed in the context of nearby domestic properties this would emphasise the intrusive appearance of the display. Whilst I accept that the area is lit with street lights, on my visit I did not see any other large illuminated advertisements in the vicinity of the proposal.
8. As a consequence, I find that the proposal would have a harmful effect on the visual amenity of the area. I note that the appellant has indicated they would accept conditions proposing a reduction in night-time illuminance to 100cd/m² and limited operational hours. However, the suggested conditions would not overcome the harm I have identified to both the streetscene and nearby properties as there are windows from the residential properties with a direct view of the proposal and the submitted light spread diagram shows that they would be directly affected.
9. I note the suggested benefits including opportunities to advertise charitable campaigns and public art, as well as improving the appearance of the existing advertisement. However, these are all matters outside the scope of the Regulations and have not been determinative in this case.
10. I therefore conclude that the proposed advertisements would result in unacceptable harm to the visual amenity of the area. In that respect the proposal is contrary to Policy L7 of the Trafford Core Strategy (2012), which although not decisive, seek in various ways to ensure that development does not harm the character of the area.

Conclusion and Recommendation

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

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and I agree with the recommendation. The appeal is dismissed.

RC Kirby

INSPECTOR