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# Appeal Decision

Site visit made on 5 January 2022

**by M Clowes BA (Hons) MCD PGCERT (Arch con) MRTPI**

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

**Decision date: 21 January 2022**

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**Appeal Ref: APP/N4205/Z/21/3278418**

**433 St Helens Road, Bolton BL3 3RT**

- 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 Group Limited against the decision of Bolton Council.
  - The application Ref 10814/21, dated 15 March 2021, was refused by notice dated 14 May 2021.
  - 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.

## Main Issue

2. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations), paragraph 136 of the National Planning Policy Framework (the Framework, 2021) and the Planning Practice Guidance all confirm that advertisements should be subject to control only in the interests of amenity and public safety. Both main parties agree that the proposal would not harm public safety. Accordingly, the main issue in this appeal is the effect of the proposed advertisement on the visual amenity of the area, including nearby residents.

## Reasons

3. The appeal site forms the side elevation of an end of terrace property. The property faces onto St Helens Road (A579), a highly trafficked and major route into Bolton whilst the side elevation faces onto Blethyn Street, a small interconnecting side road. To the south-west on the opposite side of Blethyn Street there is a small collection of commercial premises including a local convenience store.
4. An existing non illuminated 48 sheet paper and paste billboard would be replaced with a digital display of the same size. The Council's General Design Principles Supplementary Planning Document (SPD, 2015) states that advertisements should respect the character of its surroundings and for those displayed alongside highways, they should relate to the scale of neighbouring buildings.
5. The proposed advertisement would take up the majority of the flank wall of the host property. Given the modest size of the host building, the proposed advertisement would appear large and out of scale, as is the case with the existing display. When travelling along St Helens Road in a north-easterly

direction, the advertisement would be seen at close range with the barbershop located within the host building, the nearby convenience store and 2 other commercial premises. This section of St Helens Road slopes down towards the site and is also on a slight bend. These factors would emphasise the visual prominence of the proposed advertisement.

6. Although the site is located adjacent to a highly trafficked highway and there are a small number of commercial premises nearby, this is nevertheless a predominantly residential section of St Helens Road, comprising mostly small-scale terraced dwellings that front the highway. It is in this wider residential context that the display would be viewed. Where there are other commercial premises, they tend to be limited to single units located on the junctions of St Helens Road and adjacent streets. Signage generally consists of fascia advertisements and the occasional hanging sign relating to the premises on which they are sited. A non-illuminated banner sign exists on the corner of St Helens Road and Smethurst Lane, and the bus stop advertisement outside the convenience store is considerably smaller in size and prominence. The existing advertisement and other displays surrounding the site are not therefore directly comparable to the proposal before me.
7. I saw from the presence of streetlights that the area is well lit at night. The fascia sign to the convenience store is also externally illuminated, albeit via an external trough light. Despite the well-lit context and even though illumination could be restricted during hours of darkness, there are no other comparable illuminated advertisements in the immediate area. The change to an internally illuminated digital format with changing images would give it a greater degree of prominence than the existing billboard. Given the lack of billboard sized displays within the locality, passers-by would be more aware of the proposed advertisement as a result. By virtue of the size, scale and illumination of the display, it would appear as a jarring form of development within the street scene. I find the proposed digital advertisement would be at odds with the relatively understated scale and predominantly residential character of this part of St Helens Road.
8. The Council is also concerned that the proposed advertisement would be visually intrusive to the existing occupiers of dwellings 464 – 478 St Helens Road facing the site. The display would not be directly in front of these properties, as it would be set back from the road on the side elevation of the host building and at an oblique angle. Given the angle, the separation distance, and the road forming an intervening feature, the proposed advertisement would not impact significantly on the outlook of these nearby properties.
9. Notwithstanding my findings in respect of the effect on nearby residents, I conclude that the proposal would result in an unacceptable effect on the visual amenity of the area. In accordance with the Regulations, I have taken into account Policies CG3 and CG4 of Bolton's Core Strategy, Development Plan Document (2011) which seek to protect amenity and ensure that development has regard to the character and quality of an area. The SPD (2015) is also of particular relevance as it seeks to ensure that new advertisements are appropriate to their location and their impact on visual amenity. Furthermore, the Framework seeks to control advertisements in the interests of amenity. Given that I have concluded that the proposal would harm amenity, the proposal conflicts with these policies and guidance.

## **Other Matters**

10. The appellant has suggested that the proposed advertisement would lead to a reduction in CO2 emissions and waste, through reduced vehicle trips to the site to replace the current poster sheets and their subsequent disposal to landfill. However, no evidence has been provided to quantify the claimed reduction in CO2 emissions. Likewise, I have no evidence that the suggested social and economic benefits of the proposal, including use of the display for charitable campaigns, would occur. Nonetheless, these matters do not justify allowing a development that would cause harm to the interests of amenity.

## **Conclusion**

11. For the reasons identified above, I conclude that the display of the advertisement would be harmful to visual amenity and the appeal should be dismissed.

*M Clowes*

INSPECTOR