



Appeal Decision

Site visit made on 15 February 2022

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 March 2022

Appeal Ref: APP/U4230/Z/21/3281752

180 Liverpool Road, Eccles, Manchester M30 0PF

- 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 Salford City Council.
 - The application Ref 21/77750/ADV, dated 18 May 2021, was refused by notice dated 15 July 2021.
 - The advertisement proposed is the upgrading of existing paper and paste advertisement board to digital LED poster sign (D-Poster).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Council has drawn my attention to Policy DEV2 of the City of Salford Unitary Development Plan 2004-2016 (June 2006) (the UDP) which it considers to be relevant to this appeal and I have taken it 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 National Planning Policy Framework (the Framework) and the Planning Practice Guidance reiterates this approach. Therefore, the Council's policy has not, by itself been decisive.

Main Issue

3. The effect of the proposal on the amenity of the area.

Reasons

4. The proposal seeks to replace an existing non-illuminated poster advertisement, occupying an elevated position on the gable end of 180 Liverpool Road, with a digital advertisement. The immediate stretch of Liverpool Road has a commercial character, with a range of shops and services occupying the ground floor units. However, the streets off the main thoroughfare, including Milton Street in which the proposal would be experienced, are predominantly residential.
5. The scale and positioning of the proposal would be similar to the existing poster advertisement which I note may be long-established at the appeal site. It would nevertheless vary considerably as the images would be digitalised, therefore appearing significantly sharper and brighter than the existing, and they would be capable of changing on a sequential rotation. These factors

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

would significantly distinguish it from the existing and cause it to be a more apparent and overly dominant feature in the street scene for passers-by and neighbouring residents, particularly at Milton Court opposite.

6. I note that there are a number of advertisements along the immediate stretch of Liverpool Road and this route appears to be well-lit. However, none are of a large digital format and they also tend to be of a limited size and positioned no higher than fascia height. Moreover, the appeal proposal would be sited off the main thoroughfare on a predominantly residential side street and would directly face residential properties. Even if light sensors would vary the brightness of the advertisement during the day, particularly when ambient lighting conditions are less bright, the proposal would nevertheless remain prominent and those in the area would be well aware of it due to its method of display and multi-changing nature.
7. The appellant has suggested alternative maximum luminance levels during night time hours and has also offered to switch off the display between the hours of midnight to 05:00. Although these matters could be controlled via conditions and, even if the maximum levels meet the recommended guidance, the proposal would nevertheless remain overly dominant during the daytime. Therefore, the measures to reduce illumination would not negate the harm I have identified.
8. Accordingly, this proposal would result in unacceptable harm to the amenity of the area, and would be contrary to Policy DEV2 of the UDP and the Framework which together, although not decisive, seek to ensure that advertisements respect the sensitivity of the location.

Conclusion

9. For the reasons given above, I find that the proposed advertisement would significantly harm amenity and therefore the appeal should be dismissed.

H Ellison

INSPECTOR