



Appeal Decision

Site visit made on 1 April 2021

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 14th April 2022

Appeal Ref: APP/N4205/Z/21/3282929

Gable, 105 Manchester Road, Kearsley, Bolton BL4 8QJ

- 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 10164/21 dated 21 December 2020 was refused by notice dated 22 July 2021.
 - The advertisement proposed is the upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Regulations, National Planning Policy Framework and Planning Practice Guidance state that advertisements should be subject to control only in the interests of public safety and amenity. I have taken into account Policy CG3 of Bolton Council Core Strategy Development Plan Document, March 2011. This policy seeks to protect amenity and so is material in this case but is not determinative in reaching a decision on the appeal.

Main Issue

3. The main issue in this case is the effect of the proposed advertisement on the visual amenity of the area.

Reasons for the Recommendation

4. The appeal site comprises the gable end wall of 105 Manchester Road, where a 48 sheet non-illuminated advertisement display is currently situated. The site is in a primarily residential area, with limited signage present in the immediate surrounds. The Church of St Stephen Grade II Listed Building is located diagonally across the road from the site.
5. The proposal relates to the erection of an illuminated advertising display unit in the place of the non-illuminated sign currently present. This would be placed in an elevated position on a prominent plot at the corner junction of Manchester Road and Sandhole Road, forming a crossroads. While visibility of the proposal would be limited when travelling southeast along Manchester Road, such views would be particularly prominent when travelling northwest due to the orientation of the advert and the corner plot location.
6. The display would be illuminated in line with the levels recommended by the Institute of Lighting Professionals. It would display static images on rotation

with each advertisement changing instantly no more than once every 10 seconds. These matters could be secured by condition.

7. Nonetheless, the proposal would be experienced against a largely residential backdrop, where it would appear out of place. It is accepted that it would replace the current display which has been in place for some time, matching its size and positioning. While the Council has stated that there is no record of the current advert benefitting from consent, this sign nonetheless forms part of the current character of the area, and its presence is a material consideration.
8. However, even acknowledging the controls suggested by the appellant, the illumination would add to the dominance of the proposed advertisement. In contrast to the current non-illuminated display, it would appear unduly prominent and obtrusive in an area otherwise largely devoid of signage and, particularly, illuminated signage. When combined with its scale and positioning, this would draw attention to its incongruous nature of the proposal in the immediate context.
9. Whilst the statutory duty to have special regard to preserving a listed building or its setting does not apply to applications for advertisement consent, the Listed Building diagonally across from the site clearly contributes to the character of the area. Consequently, with regard to the effect of the proposal on the amenity of the area, its presence is a material consideration.
10. The advertisement would form part of the environment in which the Listed Building is experienced, with both being visible from certain viewpoints in the area. In the context of the Listed Building the proposal would represent an overtly modern and commercial addition to the streetscape which, by virtue of its size and positioning, would visually compete with the Listed Building and draw attention away from it. This would be harmful to the visual amenity of the area and the setting of the Listed Building.
11. For the reasons given above I therefore find that the proposal would have a harmful effect on the visual amenity of the area.

Other Matters

12. The appellant has listed various benefits of the proposal, due to the digital technology used. These include the site appearing tidier and better kept, heightened revenue potential, and reduced paper waste and air pollution when compared with more traditional advertising. These benefits are acknowledged however such benefits of a single sign are likely to be modest. Those matters are not sufficient to outweigh the harm identified above.
13. The appellant has stated that the proposal would have no implications on highway safety. This represents a lack of harm, which carries neutral weight.

Conclusions

14. Having had regard to all matters raised, the appeal should be dismissed. Given that I have concluded that the proposal would harm visual amenity, it conflicts with Policy CG3 of the Local Plan, which seeks to promote good design.

C Rafferty

INSPECTOR