

Appeal Decision

Site visit made on 1 March 2022 by A Coombes

Decision by J J Evans BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2022

Appeal Ref: APP/U4230/Z/22/3290460

Site Address: 718 Liverpool Road, Eccles M30 7LW

- 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 Mr S Bailey against the decision of Salford City Council.
 - The application Ref 21/78523/ADV, dated 24 September 2021 was refused by notice dated 17 November 2021.
 - The advertisement proposed is the replacement of existing advertisement hoarding with new LED display of similar dimensions and in the same position (resubmission of 21/78101/ADV).
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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.

Procedural Matters

3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) set out that powers under those Regulations should be exercised in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.
4. The application was submitted following a previously refused scheme, as referred to above, and the Council refused the proposal on amenity grounds. The appellant is appealing against the refusal of consent, and this is the basis upon which I have considered the appeal.

Main Issue

5. As the Council have not refused the application in respect of public safety, the main issue in this case is the effect of the proposed advertisement on the amenity of the area.

Reasons for the Recommendation

6. The Planning Practice Guidance sets out that in practice, 'amenity' is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement, and that the local characteristics of the neighbourhood should always be considered. The National Planning Policy

Framework (the Framework), sets out that the quality and character of places can suffer when advertisements are poorly sited and designed.

7. The appeal site is a car dealership located off the busy Liverpool Road. The immediate locality is predominantly residential, with terraced and semi-detached houses opposite and alongside the appeal site, and a cemetery to the rear. There are also a few ground-floor commercial units in the terraces on the other side of the road. The proposal seeks consent to replace the existing advertisement hoarding with an LED display of similar dimensions.
8. The proposed advertisement would be in the same location as the existing sign, albeit slightly smaller. However, the introduction of digital images would significantly alter the appearance of the sign. Despite being on a well-lit arterial route, the surrounding area is primarily residential, with the sign being seen against the backdrop of the adjoining cemetery. Having regard to this context, the LED illumination of the advertisement would appear unduly discordant. Although images could be controlled by condition to remain static and to comply with maximum luminance levels, the size of the sign combined with the bright nature of the illumination would harmfully draw the eye. An LED display is intrinsically different in character to an illuminated paper advertisement, as it would have a consistent, crisp, brightness. Given this, the sign would be much more obtrusive within the street scene, particularly so when dark.
9. There is already a degree of other illumination at the appeal site in the form of a totem sign and fascia signs, as well as street lighting. However, as noted above, the proposal represents a substantially different advertisement to the existing due to its bright illuminated display. Despite the angled position of the advertisement in relation to nearby houses, it is a large sign and would be visible from some distance away, particularly so during hours of darkness. Although conditions could be attached to control the level and hours of illumination, they would not negate the harm to the amenity of the area by such an obtrusive addition. Moreover, this harm would be exacerbated due to it being the only example of a large, illuminated sign within the area.
10. There is some support for the proposal from local residents, and the sign would be a modern upgrade over the existing paper-glued poster, which the appellant has noted can look unsightly if neglected. At the time of my site visit the existing advertisement appeared to be well maintained and, whilst noting the comments of the appellant, sign maintenance issues would not outweigh the harm to the area.
11. For the reasons given above, the proposed advertisement would cause significant harm to the amenity of the area. Regard has been given to Policy DEV2 of the City of Salford Unitary Development Plan, adopted 2006. This Policy seeks, amongst other things, that advertisements respect the sensitivity of the location, including minimising negative impacts on residential areas, reflecting objectives of the Framework.

Other Matters

12. The appellant has drawn my attention to a dismissed planning appeal at 244 Liverpool Road, Cadishead, as well as the Council having permitted other LED signs. I have had regard to the case referred to and note that it is within a predominantly residential area. The appeal which is subject to this decision has been assessed on its own planning merits, including having regard to its

locational context. In addition, the presence of other LED signs within the Council's area does not form a binding precedent for approving the appeal scheme.

Conclusion and Recommendation

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

April Coombes

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

JJ Evans

INSPECTOR