



Appeal Decision

Site visit made on 16 May 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st June 2022

Appeal Ref: APP/W4223/Z/22/3292232

Gb Storage Ltd, Unit 8, Propulsion Works Duchess Street Industrial Estate, Shaw, Oldham, OL2 7UX

- 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 Karl Walker against the decision of Oldham Metropolitan Borough Council.
 - The application Ref ADV/347754/21, dated 18 October 2021, was refused by notice dated 14 December 2021.
 - The advertisement proposed is two temporary advertisement banner.
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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 determining the appeal.

Preliminary Matters

3. The Council issued a split decision and granted consent for the sign on the side elevation of the building. The appeal therefore relates solely to the Council's decision to refuse express consent for the advertisement on the front elevation of the building facing Duchess Street. I have considered the appeal on this basis.
4. From my site visit I noted that the signage is in situ. I have assessed the appeal on this basis.
5. 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 National Planning Policy Framework (Framework) and the Planning Practice Guidance reiterates this approach.

Main Issue

6. The Council has no objection to the proposal on the grounds of public safety. From the evidence before me, and from my observations, I have no reason to disagree with the Council on these matters.

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

7. Therefore, the main issue is the effect of the advertisement on the visual amenity of the area.

Reasons for the Recommendation

8. The appeal property is a two storey industrial unit adjoining a row of single storey units. The area is mixed use and the appeal property faces the rear of residential properties on the opposite side of Duchess Street.
9. The advertisement banner is located in a prominent position, highly visible from the surrounding area and covering the majority of the first floor front elevation of the property. Whilst I note that the appellant considers the banner improves the appearance of the building, it is out of scale with the host property and appears overly prominent in the street scene. In addition, the banner is visible from the rear gardens of the nearby dwellings and can be glimpsed between the properties when on Cowie Street.
10. I noted on my visit that the signage on the nearby industrial buildings was limited in size and extent and that there were no banner signs of a comparable size in the vicinity of the site.
11. For the reasons set out above, the advertisement, by reason of its position, height and size would be seen as a dominant and intrusive feature within the street scene. As such the advertisement would harm the amenity of the surrounding area. In that respect the advertisement is contrary to the guidance in para 136 of the National Planning Policy Framework.

Other Matters

12. It is stated that the proposed advertisement banner is required to ensure that a new business becomes established and that customers are able to find the premises. However, I am not persuaded that signage of the depth and length proposed would be necessary in this location to attract custom and therefore this argument carries limited weight.
13. In addition, I acknowledge the appellants request for a temporary consent. However, this would not mitigate the harm I have found to the amenity of the area.

Conclusion and Recommendation

14. 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

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

J Hunter

INSPECTOR