
Appeal Decision

Site visit made on 31 May 2022

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30TH June 2022

Appeal Ref: APP/B4215/Z/22/3296481

958-960 Stockport Road, Levenshulme, Manchester, M19 3WN

- 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 Estates Limited against the decision of Manchester City Council.
 - The application Ref 132690/AOH/2022, dated 20 December 2021, was refused by notice dated 4 March 2022.
 - The advertisement proposed is upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is allowed and express consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) No individual advertisements displayed on the LED screen shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs.
 - 2) No individual advertisements shall be displayed for a duration of less than 10 seconds.
 - 3) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the screen.
 - 4) A mechanism shall be in place so that if the installation breaks down, it defaults to a blank screen to avoid any flashing error messages or pixilation.
 - 5) The maximum luminance level of the advertisements displayed on the screen shall not exceed 200cd/m² in non-daylight hours or 600cd/m² at any other time.

Main Issue

2. The main issue is the effect of the proposed digital advertisement board on amenity.

Reasons

3. It is common ground that the existing un-illuminated 48 sheet advert has been in place for over 10 years and has the benefit of deemed consent. This advertisement forms part of the visual amenity of the area. It is also common

ground that, subject to appropriate conditions, the advertisement would not be detrimental to public safety.

4. It is proposed to replace the existing 48 sheet advert with a modern digital advertisement display board of the same height and width, in the same position on the same building. The new advert would require minimal maintenance and would have a much cleaner, simpler, higher quality appearance than a paper and paste board.
5. Stockport Road is a busy street compromising commercial properties, some of which appear to have residential accommodation above. Adverts are displayed along the street frontage as well as on the gable ends of many corner buildings. Although I visited the site during the day the large street lighting columns that I saw, together with the commercial premises, traffic lights, bus stops and pedestrian crossings, suggest that the street is well lit at night.
6. Given that the advert would replace an existing one of the same size and position it would not, in my view, appear incongruous. Whilst I acknowledge that a digital display would appear brighter and the content would change more frequently than a paper and paste board, this would in my view be an improvement upon the quality of the existing board and accordingly would enhance the appearance of the area.
7. A concern has been raised regarding the potential impact of the digitally illuminated advert on the amenity of occupiers of adjacent first floor residential accommodation. However, the advert would be situated at second floor level, well above the windows and eaves level of the adjacent two-storey building. Moreover, correspondence between the Appellant and Local Planning Authority confirms that Appellant would be willing to accept a condition limiting the night time illumination to 200cd/m².
8. I therefore conclude that the proposed advertisement would not have a harmful effect upon amenity. In reaching this view I have had regard to policies EN1, SP1 and DM1 of the Manchester Core Strategy and saved policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester, in so far as they are material to the consideration of amenity.

Conditions

9. The standard advertisement conditions are necessary in the interests of safeguarding amenity and public safety. Due to the proximity of residential accommodation a condition is reasonable and necessary to ensure that the advert retains a low level of luminance during the hours of darkness. Finally, conditions to ensure that there are no flashing or moving images are necessary in the interests of both amenity and public safety. As the day time and night time levels of luminance are conditioned the installation of a light sensor is unnecessary.

Conclusion

10. For the reasons given above I conclude that appeal should be allowed.

Rachael Bartlett

INSPECTOR