



Appeal Decision

Site visit made on 31 May 2022

by S Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 September 2022.

Appeal Ref: APP/G4240/Z/22/3295391

137-139 Manchester Road, Droylsden, Manchester M43 6EG

- 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 David Knebal against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 22/00035/ADV, dated 17 January 2022, was refused by notice dated 14 March 2022.
 - The advertisement proposed is 1 no. internally illuminated SMD LED Digital Display at 137-139 Manchester Road, Droylsden, Manchester M43 6EG.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposal on visual amenity and on public safety.

Reasons

Visual Amenity

3. Advertisement Consent is sought for the display of an internally illuminated LED screen on the gable end wall of No 139 Manchester Road Droylsden. The advertisement would replace a larger non-illuminated display. The LED display would be static but would change every 10 seconds and would not exceed 600cd/m² during the day time and 300cd/m² at night time. Four other smaller non-illuminated advertisements on the site would be retained. I understand from the Council that none of these existing advertisements have consent.
4. The site lies in a very busy area at the junction of Manchester Road (A662), a busy radial route to the city, Clegg Street and tramlines. To the east of the site are terraced properties which are in a mix of commercial and residential uses and to the west is a predominantly residential area which includes an area of open space and a tram stop.
5. The area consequently is already visually cluttered with cars, street lighting, overhead tramlines, traffic light signals and advertisements. However, the LED sign would be larger, brighter and sharper than other features in the area and would be particularly prominent to view in the hours of darkness.

6. Moreover, the site would be visible in the context of the open space to the west, which has a quieter character, and the residential area around it where buildings are of a domestic scale and appearance. Whilst an advertisement on a nearby property is apparent, I am not aware of other illuminated hoardings in the vicinity of the site. In that context a large, elevated LED sign would appear dominant and out of context. Accordingly, the proposal would harm the visual amenity of the area.
7. Whilst not decisive I have taken into account Policy C1 of the Thameside Unitary Development Plan as a material consideration. In addition to that I have also had regard to the National Planning Policy Framework which notes at paragraph 136 that the quality and character of places can suffer where advertisements are poorly sited and designed.

Public safety

8. The Planning Practice Guidance advises that advertisements are intended to attract attention but also notes that proposed advertisements at points where drivers need to take more care are more likely to affect public safety, for example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards.
9. From the east the sign would not be visible to oncoming traffic. Similarly, drivers on Clegg Street, below the sign, would not be significantly distracted by it. However, as a result of its brightness, size and elevated position on the building it would be clearly visible to drivers approaching the junction from the west. At this point drivers need to be aware of the traffic lights, the pedestrian crossing, cyclists, cars emerging from car parking spaces at the side of the carriageway and trams which approach the junction at an angle. The proposal would cause additional distraction as a result of its prominence and changing displays which, in the context of its surroundings, would create an unacceptable danger to public safety.
10. I have taken into consideration that the luminance levels would automatically be adjusted to ensure they do not exceed industry guidelines. I also note the appellant's willingness to reduce the brightness which could be achieved by condition. However, as a result of its context I am unconvinced that this would successfully alleviate the harm I have identified.
11. The appellant has drawn my attention to other LED digital displays within a 5 mile radius of the site although few details about these signs, the circumstances in which they were granted consent, or the context in which they are sited have been provided. However, even from the limited evidence supplied it would appear that the signs have a different context to that before me with regard to both amenity and highway safety. Whilst I note that the signs are larger and may be sited nearer the carriageway, none appear to be adjacent to predominantly residential areas. In addition, in terms of the circumstances of the transport network, none of the road junctions shown appear to cross tramlines or are close to tram stops and it seems there are parking restrictions close to the road junctions preventing on-street parking. None of the sites therefore appear to have the same combination of circumstances as the current proposal. Therefore, whilst I acknowledge the

existence of other digital signs they do not justify the proposal which I can consider on its own site specific circumstances.

Conclusion

12. For the reason given, and taking into account all matters raised, the appeal is dismissed.

S Ashworth

INSPECTOR