



Appeal Decision

Site visit made on 20 September 2022

by M Ollerenshaw BSc(Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th October 2022

Appeal Ref: APP/Q4245/Z/22/3303789

Land at White City Retail Park, Chester Road, MANCHESTER, M16 0RP

- 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 Clear Channel against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 107466/ADV/22, dated 8 March 2022, was refused by notice dated 9 June 2022.
 - The advertisement proposed is single illuminated 48-sheet digital poster display.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In accordance with the Regulations¹, and the Planning Practice Guidance (the Guidance), I have considered solely matters of amenity and public safety. While I have taken account of the policies and guidelines that the Council consider to be relevant, these have not been decisive in my determination of this appeal.

Main Issue

3. The Council does not object to the effects of the proposal on public safety and there is nothing to lead me to a different conclusion in that respect based on the evidence before me. The main issue is therefore the effect of the proposed advertisement on the visual amenity of the area.

Reasons

4. The appeal site relates to a landscaped area of land adjacent to Chester Road and to the side of a retail unit within the north-eastern corner of White City Retail Park. The surrounding area is largely commercial in character and includes the retail park and a variety of other business premises along Chester Road. The White City Entrance Portal and Lodges, a Grade II listed building, are located around 35m to the south-west of the appeal site. The significance of the listed building is partly derived from its imposing presence in the street scene, a reminder of its former function as the entrance to the Botanic Gardens of the 1800s and pleasure park of the early 1900s.
5. There are other advertisements within the area, including within the retail park, such as fascias, totem signs, digital displays and road signs, together with other items of street furniture, such as streetlighting and traffic lights.

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

6. The proposed advertisement would be a freestanding internally illuminated 48-sheet poster which would display static images that would be capable of changing every ten seconds. It would be positioned at an angle relative to the adjacent retail unit and would face north-east towards the White City Circular and Chester Road.
7. The Guidance sets out how it may be that, 'a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.'
8. I accept that the area is commercial in nature and is characterised by large retail units. However, whilst the scale of the existing buildings on the retail park have an effect on the setting of the listed building, they are set back from it which serves to emphasise its presence in the street scene. In contrast, the proposed advertisement would be set forward of the adjacent retail unit and close to the public highway. Consequently, it would be an imposing and dominant presence within the street.
9. Views of the listed building are possible from both directions on Chester Road and from the White City Circular. Whilst the tree immediately to the east partly obscures views of the listed building from the east, it is still visible from this direction and likely to be more so when the tree is not in leaf. The size and prominence of the proposal would draw the eye and it would be conspicuous within the backdrop to views of the listed building from the north-east. In this regard, the proposal would negatively affect views of the listed building and the way it is experienced by passing drivers and pedestrians on both Chester Road and the roundabout. Whilst the proposal would not be as prominent in views from the south-west along Chester Road, overall I consider that it would be harmful to the setting of the listed building.
10. The maximum brightness of the advertisement would be within the guidelines set by the Institute of Lighting Professionals² and the brightness level would be regulated by an ambient sensor. However, the use of the LED display with images changing at regular intervals would be eye catching when seen against the backdrop of the listed building.
11. The appellant has referred to a large digital display on the gantry at the roundabout to the north-east of the site and a permitted digital display on the highway verge on Trafford Road and Wharfside Way. However, those advertisements are further away from the listed building and are seen in different contexts. In my view, the other advertisements referred to do not impinge on the setting of the listed building in the way that the appeal proposal would. Therefore, they are not comparable to the appeal proposal, which I have considered on its own merits.
12. The appellant has suggested conditions, including controls on the maximum luminance of the sign and frequency of changes between adverts. However, these would not sufficiently mitigate the harm that I have identified. Switching off the illumination between 11pm and 5am means that the proposal would still be illuminated during some of the hours of darkness, particularly during the winter months, and would not overcome my concerns.

² Professional Lighting Guide (PLG 05); Brightness of Illuminated Advertisements (January 2015).

13. For the above reasons, I conclude that the proposed advertisement would have an unacceptable effect on the setting of the listed building and would harm the visual amenity of the area in conflict with the Regulations. The proposal would be contrary to paragraph 136 of the National Planning Policy Framework, which states that the quality and character of places can suffer when advertisements are poorly sited and designed. It would also not accord with Policy L7 of the Trafford Local Plan: Core Strategy (2012) and advice in the Trafford Metropolitan Borough's Planning Guidelines Advertisements document (approved in July 1995), which seek to ensure proposals are compatible with the surrounding area and do not prejudice amenity, and which I have had regard to as material considerations.

Conclusion

14. For the above reasons, and having taken all other relevant matters into consideration, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR