



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/22/3303398

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 107681/ADV/22, dated 30 March 2022, was refused by notice dated 25 May 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 amenity of the area.

Reasons

4. The appeal site relates to an area of hardstanding adjacent to Chester Road close to the junction with Montague Road. It is located to the north-west 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. There are other advertisements within the area, including within the retail park, such as fascias, totem signs and road signs, together with other items of street furniture, such as streetlighting and traffic lights.
5. 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-west towards Chester Road.

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

6. 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.' Here, the proposal would not dominate any listed buildings, is not within a conservation area and is located in an area characterised by large retail units.
7. However, due to its size and position adjacent to the footway, the proposal would be a highly prominent feature when travelling east along Chester Road, from the footways on both sides of that road, and from Montague Road. Long distance views of the proposal would be possible from the west due to the linear nature of Chester Road and the size and position of the proposal forward of the building line of the adjacent retail unit. In this location the proposal would be overbearing in relation to the footway and would appear as an incongruous feature to passing drivers and pedestrians. 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, particularly during the hours of darkness.
8. Whilst there are a variety of advertisements in the surrounding area, these generally relate to the use of the premises on which they are sited. There are also road signs but these are smaller in size than the proposal. The main parties have referred to large digital displays either existing or permitted at Victoria Warehouse and at the highway verge between Wharfside Way and Trafford Road. However, these are some distance away and are viewed within different contexts to the appeal site. They are not comparable to the appeal proposal, the position of which relative to the footway and its size mean that it would stand out from other advertisements in the area and would be a discordant feature in the street scene.
9. I have considered the appellant's 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.
10. For the above reasons I conclude that the proposed advertisement would have an unacceptable effect on the visual amenity of the area, contrary to the Regulations. Accordingly, the proposal would conflict 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). These seek to ensure development is compatible with the surrounding area and does not prejudice amenity. The proposal would also 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.

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

Conclusion

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

M Offerenshaw

INSPECTOR