



Appeal Decision

Site visit made on 10 January 2023

by S R G Baird BA (Hons) MRTPI

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

Decision date: 16 January 2023

Appeal Ref: APP/G4240/Z/22/3309468

M67 Slip Road, Manchester Road North, Denton, Manchester M34 3NS

- 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 Tameside Metropolitan Borough Council.
 - The application Ref 22/00839/ADV, dated 10 August 2022, was refused by notice dated 10 October 2022.
 - The advertisement proposed is the upgrade of an existing 48 sheet advertisement to support a digital poster.
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Decision

1. The appeal is allowed, and express consent is granted for the display of an upgrade of an existing 48 sheet advertisement to support a digital poster as applied for. The consent is for 5 years from the date of this decision and is subject to the 5 standard conditions set out in the Regulations and the following additional conditions:
 1. The intensity of illumination of the sign shall not exceed 300cd/sqm from dusk to dawn.
 2. The sign shall not display any moving or apparently moving images, nor shall they display any telephone numbers, websites, email addresses or other social media details.
 3. The advertisement display shall not change more frequently than once every 10 seconds and any change between advertisements shall be instantaneous.
 4. The sign shall not display images that resemble road signs.
2. As confirmed by the National Planning Policy Framework (Framework) powers under the above Regulations may be exercised only in the interests of amenity and public safety, taking account of any material factors. The decision notice refers to Policy C1 of the Tameside Unitary Development Plan (UDP) and the Framework. Thus, in determining this appeal, UDP policy has not by itself been decisive. Here, the lpa and National Highways do not suggest that the sign would have an adverse effect on highway safety. The impact on amenity is largely a matter of informed but nonetheless subjective judgement.

Main Issue

3. The effect on the appearance of the area.

Reasons

4. Regard has been had to a decision to dismiss an appeal for a similar proposal¹ on this site. The key difference between that decision and the current appeal is that in March 2021, there was no advertisement hoarding on the site whereas a non-illuminated 48-sheet hoarding now exists.
5. This area is characterised by the brutalist and visually dominant slip road to the M67 and commercial and residential premises. The substantial commercial building to rear of the site has large, what appear to be, externally illuminated, advertisements on the elevations facing Manchester Road North and a non-illuminated 48-sheet hoarding facing the highway and the M67 slip road.
6. The digital sign would be the same size and height as the existing sign albeit it would be illuminated with intermittent changing displays. This type of sign is not unusual in urban areas, particularly on main routes. Indeed, on my travels to this and other sites in the city, I saw several similar digital signs at the roadside. I have noted my colleague's comments about the noticeability of this type of advert hoarding. However, the purpose of an advertisement sign is to be noticed, otherwise there is no point to its existence. Here, given the nature of its surroundings and the presence of other illuminated and non-illuminated advert hoardings nearby, the proposed digital sign would not appear an obtrusive or incongruous feature that would harm the appearance of the area.
7. I have considered UDP Policy C1, which seeks to protect the character and appearance of an area and thus is material in this case. Given, there would be no harm to visual amenity, the proposal does not conflict with this policy. For the reasons given above and having regard to all other matters raised, the advertisement would not be detrimental to the interests of public safety or amenity and would not conflict with the development plan taken as a whole.

Conditions

8. Given the separation between the site of the sign and residential premises, the lpa's suggested condition relating to construction and delivery times is neither reasonable nor necessary. Given the proximity to and visibility from the M67 and the slip road, the suggested conditions by National Highways relating to the intensity of illumination, the nature of the display and frequency of change are reasonable and necessary in the interests of highway safety. Where necessary and in the interests of precision and enforceability I have reworded the suggested conditions.

George Baird

Inspector

¹ APP/G4240/Z/22/3291488