



Appeal Decision

Site visit made on 16 May 2023

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th June 2023

Appeal Ref: APP/N4205/Z/23/3315281

210-212 Albert Road, Farnworth, Bolton, BL4 9JB

- 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 Bolton Council.
 - The application Ref 14934/22, dated 7 October 2022, was refused by notice dated 20 January 2023.
 - The development proposed is the upgrade of existing 48 sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Preliminary matter

2. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG) reiterate this approach. Therefore, while I have referred to some of the policies that the Council considers to be relevant to this appeal, these have not been decisive in my determination of this appeal.

Reasons

3. The main issue in this appeal is, therefore, the effect of the proposed advertisement on amenity. The Advertisement Regulations state that factors relevant to amenity include the general characteristics of the locality. The National Planning Policy Framework (the Framework) says that the quality and character of places can suffer when advertisements are poorly sited.
4. The proposed digital sign would measure 6m by 3m and would have a maximum luminance that does not exceed 300cd/m² at night-time in accordance with the guidelines set by the Institution of Lighting Professionals (ILP). The maximum brightness for daytime would also be within that guidance and would be controlled by light sensors according to the brightness of the day. Only static images (no moving images or flashing lights) would be displayed and the advertisements would be capable of changing instantly to display new adverts no more than once every 10 seconds, with no sequencing fading, swiping or merging of images.
5. It would replace an existing 48 sheet (6m by 4m) hoarding, sited on the upper part of the gable end of a small row of terraced, two storey commercial

- buildings on Albert Road, adjacent to the car park of the large scale Victoria Mill factory occupied by Silcoms.
6. This part of Albert Road is a busy main road of small scale commercial uses and residential uses. At my visit I noted that some of the commercial properties have residential uses above and on the opposite side of the road there are six or so houses in a row which would be seen within the same context as the proposed sign in the approach from the north.
 7. Albert Road is a long straight road and this together with the open car park adjacent would allow the proposal sign to be seen from some distance to the north. It would be disproportionate to the size and scale of the building on which it would be sited, occupying most of the width of the gable end which it would dominate when seen from there.
 8. Although most of the commercial units in the area have small fascia or projecting signs including some which are illuminated, I saw no other signs of the size and scale proposed here in the immediate vicinity. Whilst I noted a number of smaller signs on the gable end of a building on the corner of Albert Road and Howarth Street, those make little contribution to the visual amenity of the area. Whilst it would be seen within the same context as the larger Silcoms building from some perspectives, that building is set back from the road behind the car park and the separation distance between the sign and the building is such that it has little relationship to that building. As such, I find that the proposal would also dominate this street scene of mainly small scale buildings and signs.
 9. The appellant says that the existing 48 sheet hoarding has been in place for over 14 years. Even if that is the case, it is not illuminated and the proposed digital sign would be significantly more dominant given its illumination and changing images. I am also mindful that whilst it has not done so to date, the Council could seek discontinuance action against that advertisement at some point in the future if it chose. I disagree, therefore, with the appellant that the proposal would have a positive effect on visual amenity.
 10. I am unable to draw a direct comparison with the example of a digital sign to replace an existing hoarding on a gable end in Bradford (APP/W4705/Z/20/3260063) because the Inspector in that case made it clear that it would 'relate primarily to the broadly commercial character of the main A650 Wakefield Road'. That is not the case here where the sign would relate to an area of mixed residential and mainly small scale commercial character and that example does not persuade me to alter my findings.
 11. The appellant has suggested that the proposal would ensure a number of benefits, including a reduction in travelling to the site for maintenance, the reduction in energy in producing paper and paste adverts every two weeks, that energy used for the display would be from renewable sources, opportunities to advertise charitable campaigns, public art and emergency messages and an increase in business rates. Whilst that might be the case, some of those are minor matters and in any case there is little substantive evidence of the benefits that would arise and those matters do not outweigh the significant harm that would be caused.
 12. The proposal would therefore be contrary to the Framework and to development plan policies CG3 and RA2 of the Bolton's Core Strategy

Development Plan Document (2011) which together seek to ensure that proposals contribute to good urban design and enhance the townscape in Farnworth.

Conclusion

13. For the reasons given above and having regard to all other matters raised, I conclude that the proposal would cause significant harm in terms of amenity and the appeal should be dismissed.

Sarah Colebourne

Inspector