
Appeal Decision

Site visit made on 29 August 2023

by S. Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06.10.2023

Appeal Ref: APP/B4215/Z/23/3323451

Land adjacent to 73 Rochdale Road, Manchester M4 4HY

- 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 Steve Staley, Vision Advertising against the decision of Manchester City Council.
 - The application Ref 136297/AOH/2023, dated 16 February 2023, was refused by notice dated 11 April 2023.
 - The advertisement proposed is the replacement of a freestanding 3.9m wide x 5.9m high advertisement with a 6m wide and 3m high advertisement.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Advertisement consent is sought for the installation of a freestanding internally illuminated digital hoarding sign which would replace an existing non-illuminated hoarding sign at the site. There is nothing before me to indicate that the existing sign has express consent although the appellant has submitted street view images of the sign indicating that has been in place for a period of more than 10 years. Whether or not the existing advertisement can be deemed lawful or otherwise, is not a matter for me to consider under this Regulation 17 appeal. Nevertheless, the Council is aware of its presence and in its officer report acknowledges that the proposal would be a replacement for the existing hoarding. On that basis I am satisfied that no party would be prejudiced by my consideration of the appeal on the same basis.

Main Issue

3. The main issue in this case is the effect of the advertisement on the character and appearance of the area.

Reasons

4. Rochdale Road is busy main arterial route, four lanes wide, leading to Manchester city centre. The area around the site is characterised by a mix of commercial and residential uses and is undergoing significant redevelopment under the Council's Northern Gateway Strategic Regeneration Framework including through the construction of large scale residential development.

5. The existing hoarding, a vertically proportioned, non-illuminated board mounted on a timber base, is set at an angle immediately adjacent to the eastern corner of a grade II listed building, the Marble Arch Public House. An open area of land beyond the building, currently used as a car park, affords views of the advertisement and the side of the public house travelling towards the city centre from the east.
6. The listed building, which is dated 1888, is two storeys high, constructed in polished pink granite and buff brick with ornate architectural detailing including a decorative frieze and cornice, ornate brick chimneys and a granite columned porch. The significance of the building as a heritage asset lies in its age, its architectural detailing and its social and historic significance as a public house. Its value as a heritage asset is increased as a result of the large scale modern development taking place near to it.
7. The existing advertisement hoarding is taller than the eaves of the listed building and therefore obscures some of the building's features from view on approach from the east, albeit the most interesting detailing is on those elevations fronting Gould Street and Rochdale Road views of which are unaffected by the hoarding. Nevertheless, the hoarding is a discordant and distracting feature as a result of its size and very close proximity to the listed building. The poor quality of its framework and its graffitied timber base detract from the setting of the building. This is not a matter in dispute between the parties.
8. The proposed advertisement would be smaller in terms of its external area and would have a horizontal rather than vertical emphasis such that in terms of its height, it would not extend above the eaves of the building. Nevertheless, the advertisement would obscure part of the side elevation of the building and, although that elevation was not designed to be seen, would appear dominant against the modest scale of the public house. Moreover, the proposed advertisement would be internally illuminated and therefore considerably brighter than the existing non illuminated sign. Sharper, vivid images would change every 10 seconds thereby creating a degree of movement which does not presently exist. Accordingly, despite the reduction in its height and size, the advertisement, which would still be substantial, would be considerably more obtrusive in the street scene than the existing.
9. The degree of illumination could be controlled by planning condition but nevertheless the crisp images and the movement would still be apparent during the hours of daylight. During periods of darkness, which during the autumn and winter includes part of the afternoon, the illuminated advertisement would dominate this part the street scene, notwithstanding lightspill from apartments and street lighting nearby.
10. I acknowledge that the timber base would be painted in anti-graffiti paint and that proposal would allow the eaves cornicing and chimney stack of the listed building to be seen on approach from the east. However, given that the significance of the building can be better appreciated from the junction of Rochdale Road and Gould Street in any event, such a benefit is limited. Moreover, such benefits would be negated by the more dominant effect that the display would have on the setting of the listed building in terms of its bright moving images.

11. Accordingly, for these reasons the proposed advertisement would have a significantly greater impact on the street scene and the setting of the listed building than the existing. Moreover, the claimed lawfulness of the existing advertisement, which itself causes harm to the amenity of the area, cannot provide justification for a proposal which I have found would cause greater harm.

Other matters

12. Whilst not decisive, I have taken into account the development plan policies in the Manchester Core Strategy and in the Unitary Development Plan for the City of Manchester referred to in the Council's decision notice which in various ways seek to protect local amenity. Given the proposal would not preserve the character and appearance of the area, the proposal is contrary to those policies.
13. I acknowledge the comments of the third party and additional comments of the appellant. Whilst I am not persuaded that the proposal would hamper the regeneration of the area, this is a neutral matter in my considerations. I am unconvinced that the proposal would allow significantly greater access to, and maintenance of, the public house such that it would have an effect on the character and appearance of the area but even if that were the case it would not justify the proposal before me.

Conclusion

14. For the reasons set out above, I conclude that the proposal would be detrimental to the interests of amenity. Accordingly, the appeal is dismissed.

S Ashworth

INSPECTOR