



Appeal Decision

Site visit made on 29 August 2023 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

Decision by Chris Forrett MRTPI, DipTP, BSc (Hons)

an Inspector appointed by the Secretary of State

Decision date: 10 October 2023

Appeal Ref: APP/B4215/Z/23/3322217

99 Albert Road, Manchester M19 2FU

- 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 Manchester City Council.
 - The application Ref 136151/AOH/2023, dated 2 February 2023, was refused by notice dated 30 March 2023.
 - The advertisement proposed is installation of a digital advertising display.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The Regulations and the National Planning Policy Framework (the Framework) both make it clear that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Whilst the Council has drawn my attention to the development plan policies it considers relevant to this appeal, and I have taken them into account as a material consideration, the Council's policies have not, by themselves, been decisive.

Main Issue

4. The effect of the advertisement on amenity.

Reasons for the Recommendation

5. Amenity is not defined within the Regulations. Nonetheless relevant factors include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest. In assessing amenity, it is reasonable to consider characteristics of the neighbourhood. For example, whether the proposed hoarding would be in scale and keeping with important features.

6. There is an existing 48 sheet paper and paste billboard advertisement on the gable wall of 99 Albert Road. It is externally illuminated. I note the Council state that it has never been subject to an application for advertisement consent, but due to the passage of time, it benefits from deemed consent. The surrounding area is predominantly residential, although there are a few commercial uses such as a cluster of two storey buildings accommodating Beech House Bowling and Social Club and a small business premises.
7. The distinctive character of the area is primarily derived from dwellings of various architectural styles and types, ranging from single storey to three storeys, semi-detached and terraced. Despite the existence of a few commercial uses in the area, digital illuminated advertisements are not a prevalent feature. Advertisements on shopfronts, such as those on the adjoining Slade Lane are generally of a modest scale. The existing large externally illuminated poster display on the gable end of the appeal property is the only one in the area.
8. The appellant suggests that only static images (i.e., no moving images or flashing lights) will be displayed, but the advertisements will be capable of changing to display new adverts every ten seconds. By virtue of the sequential format of displaying advertisements, with would change every 10 seconds or so, the proposed digital display panel would appear more prominent than the existing externally illuminated 48-sheet paper poster billboard.
9. The changing display would draw the eye to a much greater degree, and it would have a much more overtly commercial feel. This would appear incongruous in the context of the predominantly residential area which is devoid of digital advertisement displays. The illuminated nature of the digital display would also make it more prominent and accentuate its impact on the street scene.
10. Whilst the area may be well lit, and the intensity of the panel's illumination would accord with guidelines for illumination of advertisements, the proposal would be particularly prominent during the hours of darkness. As I understand it, the night-time illumination would not exceed 300 candela per square metre. However, the presence of a large illuminated digital advertisement panel would introduce a more commercial element to this locality. It also would pay little regard to the residential quality of the area. At approximately 3.40 metres above ground level, it would also be quite noticeable from different points in the surrounding area.
11. The appellant has drawn attention to the free-standing sign for Beech House, a bowling and social club close to the site and a modest illuminated fascia sign and screen surround to ATM machine at 285-287 Slade Lane. However, these signs do not have the same visual effect as the proposed digital advertising display.
12. Finally, the appellant's suggested conditions which would require the signage to be turned off between the hours of 23:00 and 6:00 and a reduced night-time brightness of 100 candela per square metre is acknowledged. Whilst these would provide some mitigation of the harm arising from the proposal, it would not totally address the harm I have identified.
13. Taking all of the above into account, I conclude that the advertisement would have a harmful effect on the visual amenity of the area. It would also conflict

with the overarching objectives of the Framework and saved policies DC15 and E3.3 of the Unitary Development Plan for the City of Manchester, policies DM1 and EN1 of Manchester's Local Development Framework Core Strategy Development Plan Document (2012). These policies seek to ensure that development for advertisements are well designed and sympathetic to the character and appearance of their location and the building to which they relate having regard to matters such as the effect on the amenity of the surrounding area.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR