



Appeal Decision

Site visit made on 12 November 2024 by Darren Ellis MPlan MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2024

Appeal Ref: APP/G4240/Z/24/3346508

Adjacent 47 Clarendon Place, Hyde, Tameside SK14 2ND

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Mr Harbans Sohal against the decision of Tameside Metropolitan Borough Council.
 - The application Ref is 23/00868/ADV.
 - The development proposed is 'replacement 48-sheet advertisement hoarding.'
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Decision

1. The appeal is allowed and advertisement consent is granted for a replacement 48-sheet advertisement hoarding adjacent to 47 Clarendon Place, Hyde, Tameside SK14 2ND. The consent is for five years from the date of this decision and is subject to the standard conditions set out in the Regulations.

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.

Application for Costs

3. An application for costs was made by Mr Harbans Sohal against Tameside Metropolitan Borough Council. This application is the subject of a separate decision.

Preliminary Matter and Main Issue

4. The appellant refers twice to a proposed digital LED display. However, both the application form and submitted drawings relate to a timber-framed 48-sheet externally-illuminated advertisement display, which is what the Council made their decision on. I have referred to and considered the same, specifically its effect on visual amenity.

Reasons for the Recommendation

5. The appeal site is at a busy junction with Clark Way, Mottram Road and Union Street. The area is predominantly commercial with a residential area to the east of the junction. It includes a range of fascia and freestanding signs, some of which are illuminated. The proposed advertisement would be erected next to the side elevation of No 47 and be visible to those travelling along Mottram Road and Union Street.

6. The streetscape is varied and includes large, modern, functional commercial and residential buildings. The busy character of the road and the high frequency of transport using it, together with the fascia signs and advertisements, all contribute to a distinct vibrancy, within which the proposed advertisement would not look out of place.
7. The previously proposed display, which was refused and dismissed at appeal¹, was for a considerably larger installation which projected beyond the roof slope of No 47. The one in the scheme before me would be more appropriately positioned on the gable and would not dominate it due to its size and position.
8. The advertisement would not therefore cause harm to the visual amenity of the area. Insofar as it is material to the main issue, it would thus comply with the aims of Policy C1 of the Tameside Unitary Development Plan Written Statement (2004) which requires proposals to respect the nature of the surrounding fabric and townscape character.
9. The reason for refusal also cites a conflict with paragraph 132 of the National Planning Policy Framework 2023, however this relates to the design vision and policies of a local plan and is not directly relevant to the appeal proposal. The officer's report does however cite a conflict with paragraph 141, which states that the quality and character of places can suffer when advertisements are poorly sited and designed. As the proposed would not cause any harm to visual amenity, it would not be contrary to paragraph 141.

Conclusion and Recommendation

10. For the reasons given above, I recommend that the appeal should be allowed, and express consent granted subject to the standard conditions set out in the Regulations.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis I allow the appeal subject to the standard conditions set out in the Regulations.

John Morrison

INSPECTOR

¹ Planning application ref. 22/00825/ADV; Appeal ref. APP/G4240/Z/22/3311858