



Appeal Decision

Site visit made on 4 December 2024

by A Veevers BA(Hons) PGDip(BCon) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th December 2024

Appeal Ref: APP/B4215/Z/24/3347569

92 Claremont Road, Manchester M14 4RR

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) 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 is 139634/AOH/2024.
 - The advertisement proposed is an internally illuminated digital LED advert display (6metres x 3metres).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development provided on the planning application form reads 'erection of one D48 advert display'. The Council changed the description to that in the banner heading above, which more accurately describes the proposals as shown on the plans. This description was used for the purposes of notification of the application and has been used in the appeal submissions by the appellant. Consequently, I am satisfied that no party will be prejudiced by my use of it.
3. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) require that applications for the display of advertisements are considered in terms of amenity and public safety, taking into account the provisions of the development plan only insofar as they are material and any other relevant factors. In my determination of this appeal the Council's policies have not therefore, by themselves, been decisive.

Main Issue

4. The reason for refusal did not allege any harm in relation to public safety and the evidence indicates that any such concerns could be addressed through imposition of suitable conditions. Therefore, the main issue is the effect of the proposed advertisement on amenity.

Reasons

5. The appeal site is located in a prominent position, close to the junction of Claremont Road and Princess Road. The proposed advert display would be positioned on the gable elevation of a terraced row fronting Princess Road, above a ground floor commercial business. Princess Road is a busy main road into and out of Manchester city centre. Alongside both Princess Road and Claremont Road there are commercial and residential properties. There is a belt of trees along the

western side of Princess Road, opposite the appeal site, behind which is a row of residential properties. The surrounding area therefore has a mixed character and appearance.

6. The proposal seeks to replace an existing paper and paste poster board with a 'D-poster' advertisement display of similar size that would take the form of a modern, digital six metres by three metres LED display with multiple static content on rotation around every ten seconds.
7. I saw at my site visit that other large advertising billboards are not a wholly new feature within the locality as there is an advertisement board located on the gable elevation of 245 Princess Road and a free-standing display board located against a building at the corner of Nursery Street and Princess Road. However, these advertisement displays are not illuminated.
8. While the proposed digital display would be positioned above an existing illuminated fascia sign, most advertisements in the immediate locality predominantly exhibit a more traditional style of shop front fascia signage with limited illumination present. However, all things considered, these advertisements are largely closely associated with commercial businesses and retail shop units to which they are displayed upon. This advert would be different in its characteristics as it would be located at first floor level on a prominent corner with its location and orientation affording views from the passing motorist, cyclist and pedestrian from various vantages.
9. I note that a large paper display board has been displayed at the site for several years and the level of brightness of the proposed digital sign would be controlled to respond to ambient light levels during the day and would not exceed 300cd/sqm at night. Nonetheless, even with the proposed controls, the digital display would appear much brighter than the existing unilluminated paper sign. The proposed LED display with changing images would be far more noticeable in the street scene, particularly at night and in low daylight conditions, even though there are streetlights in the surrounding area.
10. The appeal site is located adjacent to a row of terraced houses, which is reflective of the transitional point at which the site sits between the commercial heart of the city centre and residential areas to the south. Although these houses and the residential units above nearby commercial premises would not directly face the proposed advertisement display, the character of the area, at this point along Princess Road, starts to change away from a commercial hub.
11. As a consequence of its scale, position and illumination with changing display at frequent intervals, the proposed advert would not integrate positively in this context. It would introduce a garish and discordant feature that would appear as incongruous and would thus cause visual harm to the amenity of the local area.
12. Furthermore, in views travelling in an eastern direction towards Princess Road along Claremont Road, there is nothing comparable to the appeal proposal either in terms of billboards or other large advertisements. On the contrary, views in this direction are framed by the uncluttered nature of Claremont Road and the residential properties and extensive greenery alongside it, including Alexandra Park. In that context, when viewed from Claremont Road on approach to its junction with Princess Road, the proposal would be an incongruous feature, and this too would result in harm to the amenity of the surrounding area.

13. No heritage assets would be affected, and the site is located in an area identified as 'Central Manchester' in the Manchester Core Strategy Development Plan Document, July 2012 (CS), but there would nevertheless be harm to visual amenity. While well-designed advertisement displays can provide positive visual interest in the right urban context, in this particular case the harm arising from increased visual prominence would not justify the harm I have found.
14. For the reasons given above, I conclude that the proposed advertisement would have a significant harmful effect on amenity due to its size, positioning and rotating digital illumination.
15. In accordance with the Regulations, I have taken into account the provisions of the development plan only so far as they are relevant. Policies EN1, SP1 and DM1 of the CS require, amongst other things, that development is of good design and that development along radial routes should be commensurate in scale with the prominence of its location. Saved Policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester, 1995, seek, amongst other things, that applications for advertisements should take account of the effect on visual amenity, the scope for posters and hoardings to make a positive contribution to the locality, and that developments of this kind should be in scale with the locality and be unobtrusive.
16. Furthermore, Policy JP-P1 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, 2022 to 2039, adopted March 2024 includes requirements relating to amenity. It states that all development, where appropriate should respect and acknowledge the character and identity of the locality in terms of design, siting, size, scale and materials.
17. In the Framework, paragraph 141 highlights that the quality and character of places can suffer when advertisements are poorly sited and designed. Given that I have concluded that the proposal would harm amenity, it conflicts with this aspect of the Framework and relevant aspects of the development plan policies as outlined above.

Other Matters

18. I have been directed to appeal decisions relating to advertisements in Manchester that have been allowed. From the limited information provided, it is apparent that at Hyde Road that there are no residential uses in proximity to the site but there are other large digital advertisements in the area. Similarly at Ashton New Road, although the area includes residential uses, the site is located opposite a small retail park and there are also other illuminated billboards in the area. At Thompson Street, the digital billboard replaced an existing much larger illuminated poster board. These cases are not therefore directly comparable to the appeal proposal and do not provide justification for a similar installation in a location with different visual characteristics. Moreover, other examples do not set a precedent for an advertisement that I find would be harmful for its own specific reasons.
19. The appellant has made other arguments in support of the proposal, including that the display of the advertisement would generate economic and environmental benefits, that the site could be used for display of public information, including for charitable use and emergencies, and that it would facilitate the removal of less well-located sites elsewhere. However, matters not relating to amenity and public

safety fall outside the scope of this appeal, as defined in the Regulations. As such, these potential benefits do not provide justification for allowing a proposal which would be harmful to amenity for the reasons set out above.

20. The Council's handling of the application has not affected my findings on the planning merits of the scheme.

Conclusion

21. For the reasons given above, the appeal should be dismissed.

A Veevers

INSPECTOR