



Appeal Decision

Site visit made on 9 July 2025

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 JULY 2025

Appeal Ref: APP/Q4245/G/25/3359322

328 Chester Road, Manchester, M16 9EZ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a Discontinuance Notice relating to the display of an advertisement with deemed consent.
 - The appeal is made by Global against discontinuance action by Trafford Metropolitan Borough Council.
 - The Council reference is 24/00294/ADVERT.
 - The Discontinuance Notice is dated 26 November 2024.
 - The advertisement concerned is as shown outlined in red on the attached photograph ENF01 shown edged red on the attached plan.
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Decision

1. The appeal is dismissed. I direct that the Discontinuance Notice shall come back into effect immediately and the use of the site for the display of the advertisement with deemed consent shall cease by the end of two months from the date of this decision.

Preliminary Matter

2. Regulation 8(1) of the advertisement regulations states that a discontinuance notice (DN) may only be served where the planning authority is satisfied that the removal of the advertisement is necessary to remedy a 'substantial injury' to the amenity of the locality or a danger to members of the public. Regulation 8(8) of the advertisement regulations states that in considering whether to serve a DN, the local planning authority shall have regard to any material change in circumstances that has occurred.

Main Issue

3. The main issue is whether the continued use of the site for the display of the advertisement would cause substantial injury to the amenity of the locality.

Reasons

4. The advertisement to which the DN relates is positioned at first floor gable elevation of a traditional brick built semi-detached property. The appeal property is positioned just within the Empress Conservation Area (CA) the special interest of which stems from the surviving historic sections which convey the storey of the area's industrial development and in particular the three distinct building types which reflect their use and purpose: residential, industrial and office. The Empress Conservation Area Supplementary Planning Document Conservation Area Management Plan 2016 identifies the appeal building as a positive contributor within the CA, as it retains a number of original features and classical proportions

and is a good example of the much-lost terraced housing which was prevalent in the area.

5. The gable elevation of the appeal property faces outwards from the CA. The appeal property, including its first-floor gable elevation, is highly visible to passers-by travelling in a southern direction. In this context, the advertisement hoarding is read against the front façade of the appeal building which is of traditional character and appearance and where there is an overall pleasing design synergy to the pair of semi-detached properties.
6. The immediate area is characterised as being of mixed-use character. There is a new build brick-built apartment building on the other side of the main road and new cycling infrastructure is in place in Chester Road. To the side of the appeal property there is a modern BMW garage which is constructed from a silver clad material. Advertisements and other signage are not uncommon in the surrounding area. However, where they do exist, they are generally at street-level and are not of a comparable scale to the appeal advertisement.
7. I find that owing to the high position, size and projection of the appeal advertisement, it fails to assimilate well and sensitively with the building to which it is attached. It is experienced as being a disproportionate, dominant and prominent addition in the street-scene when viewed by passers-by. Given its position, bulk and size, it detracts significantly from the pleasing architectural appearance and proportions of the host property and its neighbour, thereby causing significant harm to the positive contribution that the semi-detached buildings otherwise make to the character and appearance of the CA. Moreover, given the first-floor gable elevation position of the large and bulky advertisement, it is experienced in very stark contrast to other advertisements in the locality which are not as prominent or dominant given their predominantly much lower positions.
8. I therefore find that the advertisement does not preserve or enhance the character or appearance of the CA. It is seen as an incongruous addition on the building and in the street-scene, the latter of which has seen redevelopment improvements in recent years. It is not the case that the single storey addition to the side of the appeal property 'obscures' the first-floor gable elevation advertisement from public view as claimed by the appellant. I conclude that the advertisement causes substantial injury to the amenity of the locality. Hence, it should be removed.

Conclusion

9. Having regard to all of the above, I conclude that the advertisement causes substantial injury to the amenity of the locality contrary to the criteria set out in Regulation 8. Consequently, the appeal should fail.

D Hartley

INSPECTOR