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## Appeal Decision

Site visit made on 29 September 2025 by Kim Vo MPLAN

### Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2025

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#### Appeal Ref: APP/Q4245/Z/25/3370352

#### 14 Cross Street, Sale, Trafford M33 7AE

- 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 Mr. Paul Hardy of V2 LED Ltd against the decision of Trafford Metropolitan Borough Council.
  - The application Ref is 115632/ADV/25.
  - The advertisement proposed is described as the “replacement of existing Perspex portrait sign 1.2m wide x 3.6m tall, with a portrait internally illuminated LED digital display 1.92m wide 2.8m tall”.
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### Decision

1. The appeal is allowed and express consent is granted for the advertisement described as the “replacement of existing Perspex portrait sign 1.2m wide x 3.6m tall, with a portrait internally illuminated LED digital display 1.92m wide 2.8m tall” at 14 Cross Street, Sale, Trafford M33 7AE in accordance with the terms of the application, Ref 115632/ADV/25. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in Schedule 2 of the 2007 Regulations and the following additional conditions:
  - 1) In daylight hours, the display luminance of the advertisement hereby permitted shall at all times be no greater than 5000 candela per square metre ( $\text{cd/m}^2$ ) or the recommended maximum daytime luminance values set out within the Institution of Lighting Professionals – Professional Lighting Guide (PLG 05) ‘Brightness of Illuminated Adverts including Digital Displays’ in  $\text{cd/m}^2$  (or its equivalent replacement guide). In the hours of darkness, it shall be no greater than 600  $\text{cd/m}^2$ .
  - 2) The advertisement hereby permitted shall be turned off or revert to a blank or black screen overnight, every night, between 22:00 and 07:00.
  - 3) The advertisement hereby permitted shall only display two dimensional static images. It shall not display any moving images, animation, video, intermittent or full motion images, or images resembling road traffic signs, traffic lights or traffic matrix signs at any time. The minimum time for each display on the advertisement hereby permitted shall be ten seconds. Transitions between images shall be no less than one second and use no special effects.
  - 4) In the event of malfunction of the advertisement hereby permitted, or if it is not in use, the display shall include a mechanism to default to a blank or black screen.

## **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.

## **Preliminary Matters and Main issue**

3. The printed display sign as shown on the existing plan has been removed. For the avoidance of doubt, I have determined the appeal based on the proposed plans. The Council has referred to development plan policies and I have taken them into account as material considerations, since the power to control advertisements may be exercised only in the interests of amenity and public safety. The policies alone have not been decisive. The Council do not have concerns regarding public safety, and I have no reason to disagree. Therefore, my recommendation focuses on the effect of the advertisement on amenity.

## **Reasons for the Recommendation**

4. The appeal site relates to a two storey end terraced property with a prominent side elevation. It forms part of a small row of commercial units and is currently used as a barbershop, featuring a wraparound shopfront and fascia signage at ground level. There is an adjacent car park, which separates the appeal site from the Bulls Head public house. Directly opposite lies a large vacant plot undergoing residential development. However, the surrounding area is predominantly commercial. There are numerous business units lining Cross Street, which is a well-lit main route through Sale. These premises display a variety of shop front designs and a mix of illuminated and non-illuminated advertisements.
5. The proposed advertisement would be sited towards the front portion of the side elevation at first floor and would be clearly visible from public vantage points. Its siting would therefore fail to fully accord with paragraph 8.7 of the Planning Guidelines Advertisements 1995 (PG). However, the PG provides design guidance only and the proposal's visibility would be confined to a single direction, where its position would be set below the eaves. Moreover, and when viewed from the visible direction of the proposal, the notable corner building of the Bulls Head public house would remain as the dominant feature. In this context, whilst its siting would be at first floor level, it would still appear as a recessive feature within the street scene.
6. Its modest dimensions would sit comfortably within the broader expanse of the side elevation, appearing proportionate with the existing shopfront below. It would also have a slimline profile and be vertically aligned with the existing fascia sign. As such, due to its small scale and simple design, it would appear as a subordinate and an unobtrusive addition. The ability for a digital display to accommodate a range of imagery, designs and colours is also a common feature and conditions can be secured to ensure it displays static imagery and to control its transitions. Additionally, the introduction of one digital display would not result in unacceptable visual clutter and would complement with the area's commercial character.
7. The digital display would introduce a new light source to the area, which would be more obvious, particularly during dark hours. However, it would be fixed flush against a wall which would limit the area of its light spread. Additionally, the proposal would be located within an area that is already well-lit, with high level traffic and street lighting situated nearby, as well as many premises featuring

illuminated fascia signs and shopfronts. A condition restricting illuminance levels can also be attached and the display would be switched off overnight between 22:00 and 07:00 every day.

8. The advertisement would therefore be acceptable in amenity terms and, taking the above into account, comply with the 2007 Regulations. The Council has drawn my attention to Policy JP-P1 of the Places for Everyone Joint Development Plan Document 2024 and guidance within the PG. These seek for, amongst others, all developments to respect the character of the locality and for advertisements to not appear too obtrusive or result in visual clutter. The policy and guidance are a material consideration, and the appeal scheme would sit appropriately with their aims. Nevertheless, they have not been decisive in the appeal.

### **Conditions**

9. The standard conditions shall be placed on the consent as per Schedule 2 of the 2007 Regulations. The Local Highway Authority has requested a condition to control the luminance levels. This is agreed by the appellant, and a list of additional conditions has been provided. They have been amended for clarity. Conditions should therefore be imposed to restrict illumination levels; to ensure the display is turned off overnight; to prevent moving imagery and control their frequency and transitions; and to deactivate the screen in the event of a malfunction/disuse. These conditions are reasonable and necessary in the interests of amenity and public safety. The suggested condition for ambient environmental controls is not necessary, given that illumination levels would be restricted by another condition.

### **Conclusion and Recommendation**

10. For the reasons given above, the appeal scheme should be allowed in the circumstances and subject to the conditions set out.

*Kim Vo*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, and planning permission granted, subject to the conditions laid out above.

*John Morrison*

INSPECTOR