



Appeal Decision

Site Visit made on 13 April 2021

by R Walmsley BSc, MSc, MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 April 2021

Appeal Ref: APP/G4240/Z/21/3266801
189, Ashton Road, Manchester M34 3LG

- 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 Group Limited against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 20/00927/ADV, dated 21 July 2020, was refused by notice dated 19 November 2020.
 - The advertisement proposed is upgrade of existing 48-sheet advert to support digital poster.
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Decision

1. The appeal is dismissed.

Procedural matters

2. In accordance with the National Planning Policy Framework (the Framework) and the Regulations, my consideration of this appeal is confined to the main issue identified, taking into account the provisions of the development plan, so far as they are material and any other relevant factors.
3. The grounds of appeal suggest that the advert benefits from deemed consent. However, an application for express consent was submitted to the Council and the appeal has been made on that basis. I have determined this appeal on that basis.

Main Issue

4. It is not disputed that the sign would not have a material adverse effect on public safety. Therefore, the main issue in this appeal is the effect of the advertisement on the visual amenity of the area.

Reasons

5. Notwithstanding the mix of uses within the area and the appeal site being on a busy through-route, the predominant character is residential. Houses are similarly scaled which, together with a shared palette of building materials, creates a coherent residential street. Large advertisements, at the appeal site and opposite and on both sides of the road are prominent and create visual clutter. The proposal to upgrade the existing advert at the appeal site to a digital poster would increase the sign's prominence, making it an intrusive and overbearing feature in the street and exacerbating the visual clutter.

6. The advert may not include moving images but there would be a sequential transition of one image to another which would emphasise the presence of the structure and its incompatibility with the street scene. The appellant is willing to condition any consent to minimise the sign's visual effects, including at night. However, the very fact that the sign would be internally lit would emphasise the sign's presence and exacerbate the harm identified.
7. The images before me show little visual difference between a digital and a paper advertisement during the day. However, a digital advert would have a screen which, in itself, would be reflective which would add to the sign's prominence. When also accounting for moving images, the proposed advert would not appear the same as its paper counterpart.
8. The lower levels of illuminance proposed, together with restricted hours of operation and the oblique angle of views from the living areas nearby would ensure that light emitted from the sign would not have a discernible effect on the levels of light into neighbouring properties. As such the proposal would not be harmful to the living conditions of neighbouring occupiers. Nonetheless, this does not compensate for the harm that I have found to visual amenity, by virtue of the sign's prominence and exacerbation of visual clutter.
9. The Council has referred to policy C1 of the Local Plan (2004) which requires development to respect local townscape character. Whilst decisions in respect of advertisements may only be considered in relation to amenity and public safety, as the policy relates to visual amenity and it accords with the Planning Practice Guidance (PPG), I have taken it into account as it is material in this case. Given that I have concluded that the proposal would be harmful to visual amenity, the proposal would conflict with this policy.
10. There is no indication in the Regulations, Framework or PPG that other factors beyond the interests of amenity and public safety can be taken into account either for, or against, a proposal. Matters relating to the social and economic benefits of the proposal, therefore, do not carry favourable weight.

Conclusion

11. For the reasons given above I conclude that the proposed advertisement would be detrimental to the interests of visual amenity and therefore the appeal is dismissed.

R Walmsley

INSPECTOR