



Appeal Decision

Site Visit made on 28 April 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 13th May 2021

Appeal Ref: APP/G4240/Z/21/3266916

Land bounded by Stamford Street and King Street, Stalybridge SK15 1JP

- 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 20/00928/ADV, dated 4 September 2020, was refused by notice dated 19 November 2020.
 - The advertisement proposed is Upgrade of existing advertisement to support digital poster.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance (the PPG) reiterate this approach. Therefore, while I have taken account of the policies and guidance that the Council considers to be relevant to this appeal, these have not been decisive in my determination of this appeal.
3. The appeal site is located within the Stalybridge Town Centre Conservation Area (the CA). I am therefore mindful of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Main Issue

4. The main issue is the effect of the proposed advertisement on visual amenity.

Reasons

5. The appeal site is prominently located immediately to the south of Stamford Street, on a sparsely developed part of the road that runs across the valley side above the centre of Stalybridge. The area is characterised by irregularly spaced traditional buildings in a mix of residential and commercial uses. The hard built environment is integrated and softened by abundant planting and tree cover and the views to the moors and hills beyond the settlement. The appeal site sits at the top of a steep slope separated from the footway by a low stone wall with metal railings. Gaps in the wall provide access to steep stone steps leading down to Waterloo Road.

6. The Stalybridge Town Centre CA includes the historic core of the town along the River Tame. The significance of the part of the CA that includes the appeal site derives in part from the mid to late 19th century villa-type properties. Furthermore, the steeply sloping undeveloped land particularly to the south side of Stamford Street allows for panoramic views into and over the CA townscape. In this context, the existing advertisement detracts from and it does not make a positive contribution to the significance of the CA.
7. The proposal would be the same size and in the same location as the existing freestanding externally illuminated 48 sheet advertisement. The proposal would display sequential static digital advertisements, capable of instantaneous changeover every 10 seconds.
8. Amenity is not defined exhaustively within the Regulations, but relevant factors include the characteristics of the locality including any features of historic, architectural or cultural interest. The PPG advises that in assessing amenity, the local planning authority should consider whether the advertisement is in scale and in keeping with locally important scenic, historic, architectural or cultural features.
9. As is the existing advertisement, the proposal would be set at an oblique angle to the road. It would not be readily visible travelling along Stamford Street towards the A635, but it would be dominant in views travelling in the opposite direction and from locations around the Blandford Street junction.
10. By virtue of the steep hill below the appeal site, the proposal would be elevated above the townscape below including the neighbouring Thorn House and the former school, now a police station. These are imposing Edwardian civic buildings in red brick with stone banding and their upper storeys and slate roofs contribute to the Stamford Road street scene. The overtly modern digital display would be incongruous and discordant in juxtaposition with the traditional wall, verdant planting and the historic buildings and townscape.
11. The proposal would not be seen in conjunction with the considerably more modest signage on commercial buildings elsewhere in the area. By virtue of its elevation above the townscape, the internally illuminated digital display would detract from views into the CA and of the historic buildings. Moreover, it would be seen above the distant horizon, interrupting views and the connection to the panoramic countryside beyond the urban area. It would be dominant, visually obtrusive and out of keeping with the historic and leafy street scene and townscape.
12. The existing advertisement benefits from deemed consent and it is the fallback position at this site. The proposal would be the same size and height as the fallback, but the internally illuminated and changing digital imagery would be more conspicuous than the existing externally illuminated static hoarding, including during periods of low natural light. The digital display would be a more contemporary form of development, even further removed from its traditional surroundings than the existing hoarding. The proposal would have a greater visual impact than the existing advertisement. Therefore, the existing advertisement, which itself detracts from the significance of the CA, does not provide a justification for the proposal.
13. Features of the advertisement including the level of illuminance, the frequency of sequences and instantaneous changeover could be controlled by planning

condition. Nevertheless, given the harm that I have found, the ability to control the display would not mitigate the significant adverse visual impact.

14. Therefore, the proposed advertisement would harm visual amenity. It would fail to preserve or enhance the character or appearance of the Stalybridge Town Centre CA. Consequently, and while not determinative in the appeal, it would conflict with the aims of Policies C1 and C4 of the Tameside Unitary Development Plan Written Statement Adopted November 2004. These require, among other things, that proposals respect the distinctive townscape character and that they preserve or enhance the character or appearance of conservation areas. It would also conflict with the visual amenity aims of the Framework.

Other Matters

15. The proposed digital advertisement would meet the modern requirements of advertisers and it would upgrade a site that is currently lacking in investment. The ability to generate advertising content remotely would result in a reduction in vehicular movements and it would remove the need for printed posters. The proposal could be used by local businesses and for non-commercial purposes including broadcast of emergency messages, although there is little substantive evidence in this regard. These matters do not outweigh the visual harm.

Conclusion

16. For the reasons set out above, the proposed advertisement would harm amenity. Therefore, the appeal should be dismissed.

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INSPECTOR