



Appeal Decision

Site visit made on 9 June 2020

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2020

Appeal Ref: APP/G4240/Z/20/3247345

402 Manchester Road, Droylsden, Manchester M43 6QX

- 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 Mr Ben Porte of Clear Channel UK against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 19/01075/ADV, dated 12 December 2019, was refused by notice dated 6 February 2020.
 - The advertisement proposed is the installation of an illuminated 48-sheet advertisement display (6m by 3m) on gable wall.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the amenity of the area, and on public safety.

Reasons

Amenity

3. The appeal site comprises the gable wall of 402 Manchester Road, a two-storey end terrace house. The host property is not a listed building, nor is it located within a conservation area. The proposal is to mount a digital 48-sheet advertisement measuring approximately 6m wide by 3m high on the west-facing flank wall.
4. The appeal site's location marks something of a transition from the area around Edge Lane Metrolink station to the west, which includes a range of retail and transport uses, and the part of Manchester Road to the east which is primarily, although not exclusively, residential in character. The advertisement would be mounted on a west-facing gable, and would therefore largely be seen by people travelling eastwards along Manchester Road. While it may be expected that there would be a greater degree of signage, illumination and so on in the area around the Metrolink station, the proposed advertisement would be a large and prominent illuminated feature seen against the end wall of the terrace to which it would be affixed. In this context, it would appear as an incongruous and dominant addition to a group of modestly-sized domestic buildings.

5. Given the siting of the proposed advertisement, it would not be seen from within No 402 or the other dwellings on the north side of Manchester Road to the east. While it would be visible from other nearby dwellings, including Nos 385-391 on the south side of Manchester Road, proposed controls on the advertisement's luminance would ensure that unacceptable harm was not caused to the amenity of occupiers of those buildings arising from the illumination of the advertisement. However, this would not mitigate the effect of the proposed advertisement on the residential block to which it would be attached. I therefore conclude that because of its size, siting and illumination the proposed advertisement would adversely affect the visual amenity of the area.
6. In accordance with the Regulations I have taken into account the provisions of the development plan so far as they are material, although they have not by themselves been decisive. The proposal conflicts with Policies 1.3, 1.5 and C1 of the 2004 Tameside Unitary Development Plan, which among other things seek to encourage development which enhances the quality of the borough's built environment.

Public safety

7. The Planning Practice Guidance (PPG) recognises that advertisements are intended to attract attention, but advises that proposed advertisements at points where drivers need to take more care are more likely to affect public safety, including at junctions, or other places where local conditions present traffic hazards¹. It also lists the main types of advertisement which may cause danger to road users. These include those which because of their size or siting would obstruct or confuse a road-user's view or reduce the clarity or effectiveness of a traffic sign or signal. In addition, it refers to internally illuminated signs (incorporating either flashing or static lights), including those using light emitting diode (LED) technology, those directly visible from any part of the road, and those subject to frequent changes of display².
8. This does not, of course, mean that all internally-illuminated or digital displays would be harmful to public safety. However, Manchester Road forms part of the A662 between Manchester city centre and Ashton-Under-Lyne and the evidence before me indicates that it is generally a busy road, although at the time of my site visit many of the 'lockdown' restrictions in respect of Covid-19 were in place and consequently road traffic was somewhat lighter than might usually be the case. The proposed advertisement would be located close to the traffic light controlled junction of Cooper Street and Manchester Road and, while Manchester Road is wide and reasonably straight and level to the west of the appeal site, for eastbound traffic two lanes merge into one in front of the appeal site. The Metrolink tram line also merges into the single traffic lane.
9. The combination of merging lanes and, the presence of the tramway, mean that it is a location where drivers are likely to need to pay particular care and attention, especially those who are less familiar with the road layout. The proposed advertisement would be in a position where it would form the backdrop to the traffic signals on the left hand side of Manchester Road in many views over longer and shorter distances. In this context, I consider that, because of its siting, size, illumination and changes of display, the proposed

¹ Paragraph: 067 Reference ID: 18b-067-20140306

² Paragraph: 068 Reference ID: 18b-068-20140306

advertisement would unduly distract or confuse the eye of motorists and would lead to an increased risk of accidents. My particular concern in this respect is the possibility of a driver failing to see or respond to a red light, thereby causing a collision with pedestrian, cyclist, tram or other road vehicle.

10. I acknowledge that evidence before me indicates that the junction does not have anything other than a very minor accident record over the past five years, but of course there is currently no advertisement in place to cause a distraction. Overall, I conclude that the proposal would be harmful to public safety, arising from its unacceptable on highway safety described above. It would therefore be contrary to the provisions of the Framework which seek to control advertisements in the interests of public safety.

Conclusion

11. For the reasons given above the appeal is dismissed.

M Cryan

Inspector