Appeal Decision

Site visit made on 19 January 2009

by Jack Moffett BSc(Hons), FICE, MIHT.

an Inspector appointed by the Secretary of State for Communities and Local Government

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Decision date:
2 February 2009

Appeal Ref: APP/B4215/H/08/2088759
Land fronting Oldham Road, Hulme Hall Lane, Manchester, M40 8AG

- 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 J C Decaux UK Ltd against the decision of Manchester City Council.
- The application Ref 087348/AOH/2008/N1, dated 31 July 2008, was refused by notice dated 14 October 2008.
- The advertisement proposed is 2 x externally illuminated advertising display panels measuring approximately 3m high by 6m wide, panels set in a V formation.

Decision

1. I dismiss the appeal.

Main issue

2. The main issue is the effect of the proposed advertisement on the character and appearance of the area.

Reasons

3. The display would comprise two 48 sheet signs erected in a 90 degrees V-shape with trough overhead lighting. Each sign would be some 6.3 metres wide by 3.3 metres high with their support structures hidden by decorative weatherboard cladding, approximately 1.4 metres deep. The overall height of the display would be in excess of 4.7 metres above ground level.

4. The panels would be positioned on an area of somewhat overgrown land behind the maintained grass verge of the footpath on the south-eastern side of the A62 Oldham Road, between its intersection with the A6010 Queen's Road/Hulme Hall Lane and a railway bridge over the A62. The majority of people viewing the sign would be the occupants of vehicles travelling in each direction along Oldham Road. The display would be seen against the backcloth of a continuous brick wall forming the boundary to the predominantly commercial/industrial area, south-east of the A62.

5. A significant number of different types of signs are located along this particular length of the highway, between the railway bridge and the A62/A6010 junction. In addition there is a sizeable traffic sign adjacent to the position of the proposed display and large display panels opposite. Moreover, the area around

the northern corner of the adjacent Queen's Road/Hulme Hall Lane junction has a substantial number of large display panels. Furthermore, land each side of the railway bridge, to the north-east of the appeal site, also contains a variety of signs. I consider that the addition of the proposed V-formation display would lead to a deterioration of the appearance of the area and give rise to an entirely unacceptable sense of clutter, as it would become almost completely dominated by advertising panels. Consequently, I conclude that the proposed display would cause harm to the character and appearance of the area.

6. The Council has identified the policies it considers relevant to this appeal and I have taken them into account as a material consideration. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. Therefore, in my determination of this appeal the Council's policies have not been decisive by themselves. I have noted the Council's submission that a decision in relation to a previous appeal (APP/B4215/H/04/1148729) is pertinent, but I have determined this appeal only on the merits of the case before me.

7. The Appellant has submitted that the proposed display complies with *Planning Policy Guidance 19: Outdoor Advertisement Control* and in particular that a display of this type is justified as it would be in an industrial/commercial area. In my opinion, this argument it far outweighed by the negative impact that the cumulative effect of the existing signs and the proposed display would have on this particular area.

Summary

8. I have had regard to all other matters raised but, for the reasons given above, I conclude that the appeal should be dismissed.

Jack Moffett

Inspector