Appeal Decision

Site visit made on 22 December 2008

by Keith Manning BSc (Hons) BTP MRTPI

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

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Decision date:
28 January 2009

Appeal Ref: APP/B4215/H/08/2085798
Land adjacent to Ashton Canal, Alan Turing Way, Manchester M11 3BE

- 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 British Waterways against the decision of Manchester City Council.
- The application Ref 086852/AOH/2008/N2, dated 22 May 2008, was refused by notice dated 6 August 2008.
- The advertisement proposed is one, single-sided, internally illuminated P200 advertising unit measuring 6.3m X 3.3m.

Decision

1. I dismiss the appeal.

Procedural Matter

2. There appears to be an unresolved discrepancy between the photomontage of the proposed single-sided advertisement and the location plan submitted. I therefore take the latter as definitive of the appellant's intentions.

Main issue

3. The effect of the proposed advertisement on the character and appearance of the area. (Contrary to the appellant's submissions the Council does not raise public safety in respect of highways considerations.)

Reasons

4. The Council refers to a number of saved policies of the City of Manchester Unitary Development Plan. The Regulations require that decisions be made only in the interests of amenity and, where applicable, public safety. Therefore these policies alone cannot be decisive. But I have taken them into account as material considerations in my determination of the appeal.

5. Alan Turing Way is a major route within an area that has undergone significant regeneration. It is largely free of advertisements at this point and the immediately adjacent site is residential in nature including a number of apartments to the south of the canal and houses to the north. The listed locks and lock keeper's cottage are in close proximity to the appeal site and the proposed advertisement would be within its setting. The canal towpath is a recreational route.

6. The townscape at this point is complex and interesting as a consequence of the juxtaposition of these various elements and, bearing in mind the advice of PPG19, there is no need to add interest or colour or to screen an eyesore. On the contrary, the advantage, to my mind, lies in maintaining the scene free of extraneous visual elements in order that its qualities may be best appreciated.

7. Although I do not consider that, other than in respect of the appreciation of the listed buildings, the enjoyment of the canal side route would be unduly harmed by the proposed advertisement, which would be elevated for visibility from the road, I nevertheless consider that it would be a visually inappropriate and intrusive element given the qualities of the immediate surroundings and the generally uncluttered ambience of Alan Turing Way. It would, moreover, be a visually intrusive element as far as occupiers of the nearby dwellings are concerned and the proposed structure and advertisement would visually dominate the small area of public open space in the immediate vicinity.

8. For the reasons given above I conclude that the display of the advertisement adjacent to the canal at this point would be detrimental to the interests of amenity and that the appeal should fail.

Keith Manning

Inspector