The Planning Inspectorate

Appeal Decision

Site visit made on 16 September 2012

by A U Ghafoor BSc (Hons) MA MRTPI

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

Decision date: 4 October 2012

Appeal Ref: APP/B4215/H/12/2177324
Land at William Hulme's Grammar School, Spring Bridge Road, Manchester M16 8PR

- 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 Ms Elizabeth Fritchley on behalf of William Hulme's Grammar School against the decision of Manchester City Council.
- The application Ref 098917/AOH/2012/S1, dated 13 March 2012, was refused by notice dated 14 May 2012.
- The advertisement proposed is the display of a single, internally illuminated advertisement panel, featuring a sequential display.

Decision

1. The appeal is allowed and consent is granted for the display of the advertisement as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:-

    (1) The advertisement hereby granted consent shall not be retained on the site after the expiry of 5 years from the date of this decision. After the expiry of this advertisement consent, the advertisement panel and all associated columns and mountings, as shown on drawing number 00803 – 02 dated February 2012, shall be removed and the land reinstated.

    (2) The advertisement panel hereby granted consent shall not be illuminated during the hours of 2300 to 0700.

    (3) The intensity of the illumination of the advertisement panel hereby granted consent shall be no greater than 300 candela.

Reasons

2. The effect of the advertisement panel upon firstly, the character and appearance of the street scene and secondly, public safety.

Character and appearance

3. The wider locality is mainly residential in character. However, this part of the area contains a Parkway business centre, petrol filling station and other commercial land uses. The width and depth of Princess Road means that nearby residential properties are set some distance. The main school building is set back from the adjacent highway and is largely surrounded by playing fields.

4. The proposed panel would be positioned to the northeast corner of the playing fields. The panel would be 3.32 metres in height, it would be 6.27m wide and 3m above ground level mounted on a single leg and cross-bar steel slim line unit. The display board would be substantial. However, its bulk, mass and height would respect the scale of its immediate surroundings and buildings. The advertisement panel would be positioned in proximity of street lighting columns. It would not have an unduly overwhelming or intrusive effect upon the appearance of the street scene or passers-by, because of its location and positioning within the school's playing fields, which are reasonably landscaped.

5. The overall size of the illuminated hoarding would not be out-of-keeping with the mixed commercial and residential character of this part of the locality. The free-standing unit, positioned alongside the school's railings and adjacent highway, would be well-related to the setting of surrounding buildings and it would have regard to the symmetry and architectural features of their location. The Council accepts that the hoarding would not harm the setting of William Hulme's Grammar School, which includes buildings of architectural or historic interest. I consider that position correct due to the design of the panel.

6. I take the view that the proposed advertisement would satisfy guidance contained in paragraph 67 of the National Planning Policy Framework (NPPF) and guidance contained in Annex E to Circular 03/2007[1].

7. For all of the above reasons, I conclude that the proposed advertisement would not have a materially detrimental impact upon the character and appearance of the street scene.

Public safety

8. Princess Road forms a major radial route into the City and it carries high levels of traffic from the M56 motorway and the south of the conurbation. The advertisement panel is designed to attract attention, but it would be positioned within the school playing fields in proximity of the western signal head at the stop line of Princess Road and Platt Lane junction. The panel would be single-sided and it would only be visible to drivers travelling north. I am quite satisfied that the size of the panel would not significantly distract drivers, because this section of Princess Road is reasonably straight; it forms three lanes and the panel's positioning would not obstruct or impair sightlines. Additionally, there are specific filter lanes for drivers turning left/right and motorists are likely to approach the junction with slower speeds, due to the traffic signals and the layout of the junction.

9. The proposed billboard would be internally illuminated with transitioning images and the intensity of illumination can be controlled by conditions, which I will address later. The layout of the junction requires high levels of driver alertness however the illuminated panel would not be mistaken for, or confused with, the traffic lights because of its size and location. The siting of the panel would not impede a road-user's view or reduce clarity or effectiveness of the highway signage. In this particular setting, the advertisement panel would not be a source of significant driver distraction because of the hoarding's design. Therefore, the proposal would comply with guidance contained in paragraph 67 of the NPPF and Appendix B to the Annex to Circular 03/2007.

[1] See Circular 03/2007: 'Town and Country Planning (Control of Advertisement) Regulations 2007, March 2007.

Conditions and other matters

10. In addition to the standard conditions set out in the Regulations, I have considered imposing conditions in the light of guidance contained in the NPPF and Circular 11/95[2]. Advertisement consent for the panel is required for five years. The drawings submitted with the application suggest that there would be some building work necessary to install the advertisement panel. I will impose a condition requiring the removal of the advertisement at the end of the five year period, and the carrying out any works required for the reinstatement of the land.

11. The advertisement panel would be fitted with a sensor to alter the brightness of the display. However, for highway safety reasons, it would be necessary and reasonable to specify the intensity of the illumination. The application form states that the panel would have an illumination level of no more than 300 candela, which I will impose in a condition.

12. The appellant suggests that a condition be imposed restricting the hours of illumination for the advertisement panel. That is sensible given the mainly residential nature of the wider locality. I will impose a suitably worded condition to restrict the illumination hours.

13. The Council referred to policies DC15 of the Manchester Plan the Unitary Development Plan for the City of Manchester (1995), and policy DM1 and SP1 of the Manchester Core Strategy 2012 to 2027. I have taken them into account as material considerations. 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. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive.

Conclusion

14. For the reasons given above, and having considered all other matters, I conclude that the display of the advertisement would not be detrimental to the interests of amenity and public safety. I allow the appeal subject to the conditions set out above.

A U Ghafoor

INSPECTOR

[2] Circular 11/95: *The Use of Conditions in Planning Permissions*.