Planning Inspectorate

Appeal Decision

Site visit made on 17 December 2024

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 January 2025

Appeal Ref: APP/B4215/Z/24/3350222
Land adjacent to Rochdale Road, Manchester M9 5BJ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
- The appeal is made by Wildstone Estates Limited against the decision of Manchester City Council.
- The application Ref is 139965/AOH/2024.
- The advertisement proposed is the installation of two digital advertising screens (D-Poster).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council have drawn my attention to the policies it considered to be relevant to this appeal and I have taken them into account as material considerations. However, power to control advertisements may be exercised only in the interests of amenity and public safety and therefore the policies alone have not been decisive.

Main Issues

3. The Council found the proposal would have no harmful effects on public safety. As such, the main issues in this case are the effect of the proposal on (i) the visual amenity and (ii) the residential amenity of the surrounding area.

Reasons

Visual amenity

4. The appeal site is located adjacent to a four-way junction between Rochdale Road, Prescot Road and Harpurhey Road. The immediate area comprises a mixture of open green space, residential dwellings and, to a lesser degree, commercial properties. Further along Rochdale Road is a row of small-scale commercial units. The appeal site itself is formed of two separate areas along the boundary of a disused plot at the back of the pavement serving Rochdale Road.

5. At the time of my visit it appeared that all but the lower portion of the advertising boards had been removed. This appeared to also be the case for a third board that is outside of the appeal site. I understand from the Council's submissions that there is some dispute as to whether the previous boards had the correct permissions. However, I have followed the Council's approach of considering the scheme as a replacement of the existing boards rather than the installation of new boards.

6. The proposal would install two digital advertising screens (identified by the appellant as D and E) of a comparable size to those previously present at the appeal site. The board furthest from the junction (E) would be replaced at an angle to the road rather than, as it currently is, parallel to it. Although the appellant has suggested that, as part of this appeal, the third board would be removed as it is outside of the appeal site this cannot be secured.

7. The appellant has raised a number of examples of advertising within the surrounding area. This includes examples linked to the nearby commercial properties and freestanding signage, including some internally illuminated signs. Further away I note another large advertising board identified on Brewster Street. However, none of these examples, are comparable in style or appearance to those proposed under the appeal before me.

8. The two proposed screens, by way of their digital display would appear considerably different to the traditional paper boards present. This would be especially legible by way of their internal illumination that would result in a more visually intrusive feature. Whilst I note the internally illuminated example, its nature, scale and appearance are not comparable to that before me.

9. More broadly the digital displays would also not reflect the character of the surrounding area which, as noted above, is primarily residential in nature. The type of advertising screens proposed would present a character incongruous to this and suggestive of a significantly more commercial area. They would not, therefore, be commensurate to their surroundings and would be detrimental to the visual amenity of the area.

10. The proposed digital advertising screens would therefore cause harm to the visual amenity of the area. The proposal is therefore contrary to Policies EN1, SP1 and DM1 of the Core Strategy Development Plan Document (the CS), Policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester and Policy JP-P1 of the Places for Everyone Development Plan Document (the PfE). These policies collectively, and amongst other matters, seek for proposals to respect and relate properly to the character and identity of the local area. The proposal would also conflict with the National Planning Policy Framework (the Framework) including Paragraphs 135 and 141.

Residential Amenity

11. On the opposite side of Rochdale Road to the appeal site are a number of residential dwellings which face towards the location of the proposed digital displays. From my observations I noted that the road is served by street lights and that there are traffic lights at the junction. I have not been provided with details of the illuminated advertising in the area, but given their size, I find it unlikely that they would generate a significant degree of illumination.

12. Mindful of the above, residents along this portion of Rochdale Road would experience a degree of background light throughout both day and night. I note the nearby traffic lights have hoods and so any light reaching the nearby properties would be at least partially screened. Nevertheless, with this and the passing of vehicle lights there would still be a degree of movement and transition in the background light experienced at night.

13. In the event that the appeal were to be allowed controls could be imposed to ensure that the level of illumination for each screen was kept at an appropriate level. In mind of this I am content that the changes to lighting and colouring stemming from the transition between adverts would not be overly noticeable during the day and, when dimmed, would not be visible through closed curtains or blinds at night. As such, I consider that the proposal would not have an unacceptable impact on the residential amenity of neighbouring occupiers. This is particularly so for Board D, the orientation of which means that it would not be directly appreciated by any nearby residential properties.

14. In conclusion, the proposal would not be harmful to the residential amenity of the surrounding area. As a consequence, the digital advertising screens would comply with Policy JP-P1 of the PfE and Policies DM1 and SP1 of the CS insofar as they relate to the amenity and well-being of residents and the minimisation of pollution, including light.

Other Matters

15. I can only consider the matters of public safety and amenity. Therefore, any benefits or harms occurring outside of these matters are not determinative. This includes those benefits raised by the appellant regarding the economy and environment.

Conclusion

16. For the reasons given above, and mindful of all matters raised as well as the development plan as a whole, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR