

Planning

Growth & Development

Delegated officer report for planning application

Application no. 137288/AOH/2023
Date registered valid: 13 June 2023
Proposal: Installation of digital advertisement board
Address: Land At 176-182 Oldham Road, Manchester, M4 6BQ
Ward(s): Ancoats & Beswick Ward

Applicant: Wildstone Group Limited
Agent (if any): Mr Richard Page Wildstone
Case officer: Max Gibson
Tel: 0161 219 6359
Email: maximillian.gibson@manchester.gov.uk

Recommendation: Refuse
Date of recommendation: 25/07/2023

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 22 June 2023 Expired: 13 July 2023

Neighbour notifications

Printed: 22 June 2023 Expired: 13 July 2023

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: Ancoats Conservation Area 1989

Tree Preservation Order: n/a

Description of area

The site relates to a carpark on the south side of Oldham Road. The carpark lies between mid-rise apartment building at 168 Oldham Road to the south and a parade of two storey brick commercial buildings to the north. On the opposite side of the road is the Royal Mail Manchester Sorting & Delivery Office. The character of the area comprises commercial and residential uses, with dining and retail uses further to the south along Oldham Road. The site lies within the Ancoats Conservation Area.

Description of development

The development relates to the installation of 1no. illuminated digital advertisement billboard measuring 3mx6m. The board would be supported by a steel supporting frame. The requested illuminance level is 5000cd/m². The digital board would display full colour, static advertisements.

Consultations & Notification Responses

Publicity – letters were sent to surrounding occupiers informing them of the development. No responses have been received as a result of this publicity.

Highways – Illuminance not acceptable, condition requested.

Environmental Health – condition requested.

Issues

Policies

The main policies that relate to this application are SP1 (Spatial Principles), DM1 (Development Management), CC9 (Design and Heritage) and EN3 (Heritage) of the Manchester Core Strategy, saved policies DC15 (Advertisements, Hoardings and Posters) and DC18 (Conservation Areas) of the Unitary Development Plan (1995), the Ancoats and New Islington NDF and Poland Street Zone NDF.

Planning History

A review of the planning history reveals that the existing billboard was never granted consent. However, the applicant asserts the existing billboard benefits from deemed consent, which is supported by evidence available online.

A number of advertisement billboards have been refused on or in the immediate vicinity of the development site.

093263/AOH/2010/N1 - Re-positioning and replacement of 48 sheet internally illuminated advertisement hoarding.

- The proposed site is directly adjacent to the current proposal site.
- **Refused** 22.07.2010 on the following grounds:
 - 1) The hoarding, by reason of their size, character and position would constitute an isolated and over-dominant feature which would adversely affect the appearance of the wider street-scene, and the proposal is therefore detrimental to the visual amenity of the Ancoats Conservation Area. On this basis, the proposal is contrary to Unitary Development Plan policy DC15 `Advertisements, Hoardings and Posters` and EM14 `Ancoats Environmental Improvement and Protection`, and Central Government guidance contained within PPG19.
 - 2) The hoardings, by reason of their size, character and siting in a prominent location where hoardings are already prevalent in number would constitute a strident and unduly dominant feature and would be unduly obtrusive within the street-scene. The proposal for advertisement consent is therefore detrimental to the visual amenity of this area and a key radial route into the Regional Centre. On this basis, the proposal is contrary to Unitary Development Plan policy E3.3, `Environmental Improvement`.
- The decision to refuse was subsequently appealed. The appeal was dismissed by the Planning Inspectorate.

102163/AOH/2013/N1 - Part retrospective application for erection of 2 no. non-illuminated 48 sheet advertising panels with associated infill timber fencing, for a temporary period until 1 July 2016.

- The proposed site is directly adjacent to the current proposal site.
- **Refused** 01.06.2013 on the following grounds:
 - 1) The proposed advertisement displays would be out of scale and proportion with the adjoining buildings and site context thereby forming an obtrusive and incongruous feature within the street scene that would be harmful to the site and its setting within the Ancoats Conservation Area contrary to the guidance contained within policies DC15.1(a), DC15.1(c), DC15.2(b) and E3.3 of the Unitary Development Plan for the city of Manchester, policy DM1 of the adopted Core Strategy for the city of Manchester and paragraph 67 of the National Planning Policy Framework.
 - 2) The proposed advertisement displays by reason of their siting in an area where there exist several advertisement displays within close proximity, would give rise to a cluster of advertisement displays whose cumulative impact would have a negative impact on the visual amenity of the area, on the street scene and on the setting of the Ancoats Conservation Area contrary to the guidance contained within policies DC15.1(j) and E3.3 of the Unitary Development Plan

- for the city of Manchester, policy DM1 of the adopted Core Strategy for the city of Manchester and paragraph 67 of the National Planning Policy Framework.
- The decision to refuse was subsequently appealed. The appeal was dismissed by the Planning Inspectorate.

105665/AO/2014/N1 - Advertisement Consent Application for the display of 1 no. non-illuminated 48 sheet advertisement panel, with associated infill timber fencing.

- The proposed site is directly adjacent to the current proposal site.
- **Refused** 04.07.2014 on the following grounds:
 - 1) The proposed hoarding (and associated fencing), by reason of its size, appearance, location and design, would represent an unduly obtrusive and over-dominant feature within the street scene, would adversely affect views along a major radial route into Manchester City Centre, would have a negative impact on the application site and the surrounding area, would appear out of scale in relation to surrounding buildings, would be unconducive to the permanent redevelopment of the site and the regeneration of the area, would adversely affect the character and appearance of the Ancoats Conservation Area and would lead to visual clutter. For these reasons, the proposed hoarding would have a detrimental impact on visual amenity within the area, would be unacceptable and would be inconsistent with the National Planning Policy Framework, policies SP1, T1 and DM1 of the Manchester Core Strategy and saved policies DC15.1, DC15.2, DC18.1 and E3.3 of the Manchester Unitary Development Plan.
- The decision to refuse was subsequently appealed. The appeal was dismissed by the Planning Inspectorate.

117893/AOH/2017 - Replacement of illuminated 48-sheet scrolling advertisement with an illuminated 48-sheet digital display

- The proposed site is the same as the current proposal site considered under app. ref. 137288/AOH/2023 and would have involved the replacement of existing billboard that is subject to this application (137288/AOH/2023).
- **Refused** 12.12.2017 on the following grounds:
 - 1) The proposed advertisement display would be out of scale and proportion with the adjoining buildings and site context thereby forming an obtrusive and incongruous feature within the street scene that would be harmful to the site and its setting within the Ancoats Conservation Area contrary to the guidance contained within policies DC18, DC15.1(a), DC15.1(c), DC15.2(b) and E3.3 of the Unitary Development Plan for the city of Manchester, policies EN3 and DM1 of the adopted Core Strategy for the city of Manchester and National Planning Policy Framework, particularly paragraph 67.
 - 2) The proposed advertisement display by reason of its siting in an area where there exist several advertisement displays within close proximity, would give rise to a cluster of advertisement displays whose cumulative impact would have a negative impact on the visual amenity of the area, on the street scene and on the setting of the Ancoats Conservation Area contrary to the guidance contained within policies DC18, DC15.1(j) and E3.3 of the Unitary Development Plan for the city of Manchester, policies EN3 and DM1 of the adopted Core Strategy for the city of Manchester and National Planning Policy Framework, particularly paragraph 67.
 - 3) The proposed digital advertising screen is refused on the basis that it would by virtue of its size, location, design and appearance have a detrimental impact on visual amenity and on the regeneration proposals for the surrounding environment including those for areas of land along Oldham Road and those detailed in the City Centre Strategic Plan (2015 -2018) and the Supplementary Planning Guidance Document for Central Manchester , by affecting the potential for attracting investment to the area, including discouraging

investment in the maintenance of the surrounding heritage assets and undermining the recent and significant improvements to the area. The Oldham Road gateway into the City Centre is in need of investment and improvement to create an appropriate entry point and the proposed advertising screen would work against this. The proposal is therefore considered to be contrary to aims of the City Centre Strategic Plan and would therefore be contrary to saved policy SP1 (Spatial Principles) of the Adopted Core Strategy for the City of Manchester and Section 7 of the National Planning Policy Framework, The Ancoats and New Islington Neighbourhood Development Framework 2016.

- The decision to refuse was subsequently appealed. The appeal was dismissed by the Planning Inspectorate. The decision is appended to this delegated report.

Issues

The Advertisement Regulations require applications for advertisement consent to be assessed on the grounds of their impacts on visual amenity and public safety. An assessment of the current proposal under these criteria is undertaken below.

Visual amenity

An overarching aim of both the Manchester Core Strategy (2012) and the Unitary Development Plan for Manchester (1995) is the improvement of visual amenity and the general uplift of the appearance of the city. This is reflected in policy SP1, which expects development of high-quality design that enhances the appearance of surrounding area, DM1 which requires development to have regard to be appropriate in design, siting scale and massing and have regard to the character of the surrounding area and EN1 which seeks to improve the experience of all at street level.

Saved policy DC15 is clear that advertisement boards are expected to make a positive contribution to the appearance and character of the surrounding area and to be appropriate for their surroundings. Furthermore, policy E3.3 seeks the uplift of the appearance of Manchester's main radial routes.

This is supported by Section 12 of the National Planning Policy Framework, in particular paragraph 130 which emphasises the importance of good design in new development that is sympathetic to the character and heritage of its surrounding area and paragraph 136 which states that *'the quality and character of places can suffer when advertisements are poorly sited and designed'*.

Therefore, development which is in contravention of these aims and would harm visual amenity will be resisted by the City Council.

it is considered that the existing billboard does not make a positive contribution to the surrounding area and detracts from visual amenity. The existing billboard, which this application seeks to replace, by virtue of its size, design and siting forms an obtrusive, unsightly and dominant feature in the street scene and likewise, it is considered that any replacement advertisement board would form a similarly conspicuous element. This is contrary to the provisions of saved policy DC15, in particular parts (a) and (b).

The proposed billboard, which would be installed at the exact location of the existing, would be of a similar scale to that currently in situ – the drawings supplied by the applicant appear to show the proposed display mounted slightly lower than existing, although no measurements are provided to confirm this is the case.

The immediate setting of the billboard is a carpark in a large open space between buildings. The entire structure stands at five metres in height, and hence is significantly taller in height than its immediate surroundings and therefore does not relate

harmoniously to the premises in which it is located, contrary to saved policy DC15 (c) of the UDP.

This necessarily makes the billboard the most prominent feature in the carpark, and it therefore dominates this section of the street. In the decision on the appeal against refusal of app. ref. 117893/AOH/2017 this impact was assessed similarly by the inspector:

‘Visually, the advertisement would still take up a prominent location in a gap between buildings. This would only serve to increase the prominence and impact of the advertisement, particularly when approaching from the west. The incongruity of its overall appearance within the ACA would be particularly striking.’

The angle of both the existing and proposed board southwards down Oldham Road would make the proposed billboard especially prominent when viewed northwards away from the city centre, as well as from the entrance to the Royal Mail depot opposite. This would be contrary to the stated aim of policy EN1 of the MCS to improve the experience of all at street level.

Digital advertisement posters, which have greater brightness than traditional poster boards and rotating content, are more visible and hence have more prominence in the street scape. The rotation of content, in this case six different displays sequencing every 10 seconds, would create a ‘movement’ to the advertisement which would necessarily draw the eye and contribute to the billboards dominant position within the street scene.

The proposed illuminance level of the digital billboard is given by the applicant as 5000cd/m². This is significantly above the 600cd/m² recommended by the Institute of Lighting Professionals. An illuminance level of this magnitude would necessarily make the billboard extremely prominent and obtrusive, ensuring the billboard would be the dominant feature in the street scene.

DC15.1 (c) requires the assessment of structures of the boards themselves. The proposed structure of a steel frame, with timber cladding to the lower portion below the boards itself, is considered to be of low-quality, both in its materiality and design. Hence the supporting structure, as well as the display itself, is considered to be detrimental to visual amenity.

Saved policy E3.3 seeks the upgrade of the appearance of premises adjacent to Manchester’s main radial routes, of which Oldham Road is one of the most significant. As stated above, the proposed billboard would be of low-quality design and form an unsightly, dominant element in the street scene. Therefore, it is considered the proposed development would directly contradict this longstanding aim of the City Council.

There are two existing billboards directly adjacent to the proposed site. One is behind the existing location facing northwards up Oldham Road, whilst the other sits opposite the proposed billboard at ground level, again facing northwards.

Notwithstanding the inspector’s comments on the appeal of 117893/AOH/2017 that the increased sense of clutter from a digital display would create a limited amount of additional visual harm, the City Council considers that the installation of the proposed billboard would amount to advertisement clutter at the location and any new billboard would at minimum maintain this clutter.

However, as the new billboard would be digital in nature, allowing for multiple rotating adverts, it is considered that the new billboard would increase the sense of advertisement

clutter. This is considered unacceptable pursuant to policy DC15.1(j) which requires assessment of the cumulative effects of advertisements.

Given the above, the proposed digital billboard is considered unacceptable pursuant to saved policies E3.3 and DC15.1 of the UDP, particularly (a) and (b) which require advertisement boards to enhance the appearance of their location, as well as the provisions of SP1, DM1 and EN1 of the MCS and Section 12 of the NPPF.

Effect on the appearance and character of the conservation area

Considerations of the impacts of the development on visual amenity are of particular significance at the proposed location. The proposed site lies within the Ancoats Conservation Area. The surrounding area is therefore one of special historic significance and high amenity value to the city. Poor quality development in the conservation area which would fail to protect or enhance its appearance and character is resisted by the City Council, pursuant to saved policy DC18.1 of the UDP and policy EN3 of the MCS, whilst saved policy DC15.2 states that advertisements should not intrude into areas of high amenity value, which the City Council considers to include the Ancoats Conservation Area.

The introduction of a digital billboard within the conservation area would be highly incongruous with the historic character of the conservation area, which is in part drawn from the presence of many traditional brick industrial and residential buildings, including the Grade II listed Victoria Buildings a short distance down Oldham Road. In this context, a modern digital display would appear very out of keeping with its surroundings.

Concurring with this position, in the decision on an appeal to refuse a digital display at this location under app. ref. 117893/AOH/2017 the inspector noted that *'the bright, strident and overtly modern appearance of the display would not complement the more traditional style of buildings further along the road or the character of the conservation area in general.'*

Given the above, it is considered that the installation of the proposed billboard would fail to protect or enhance the character or appearance of the conservation area. Hence, the proposed development would create is considered unacceptable pursuant to saved policies DC15 and DC18 of the UDP.

Relationship with regeneration

Notwithstanding the inspector's comments regarding regeneration on the appeal of 117893/AOH/2017, which concluded that impacts on regeneration activity were of limited weight, the City Council wishes to call attention to the positive change underway in the surrounding area and emphasise the importance of supporting high-quality development as a result.

The development site lies at the periphery of the Poland Street Zone of the Ancoats and New Islington NDF and hence the locale is considered a strategic priority to the City Council. Since the inspector's decision in 2018, the Poland Street Zone NDF and Ancoats Poland Street Zone Public Realm Strategy April 2022 have been adopted.

These documents lay out the City Council's regeneration aspirations and highlight the importance of securing the uplift of visual appearance through high quality development, supported by policy SP1 of the MCS which states that all development should create *'well designed places that enhance or create character.'*

Section 6.4 of the Poland Street Zone NDF notes the poor-quality appearance, legibility and safety of this part of Oldham Road, thereby serving as a poor threshold into Ancoats. The City Council contends that a digital billboard would exacerbate this situation, and the

supporting structure would create an inactive frontage which would exacerbate perceptions of insecurity for pedestrians

Furthermore, it notes the vehicle dominated perception of this stretch of Oldham Road. The siting along a busy arterial route, along with the orientation and height, of the billboard clearly demonstrates that it is mainly intended to draw the eye of passing motor traffic. It is considered that the presence of the billboard would contribute further to this perception.

This would be counter the aims laid out in 7.3 to create a positive interface between Oldham Road and Ancoats through, in part, people friendly street space. An overbearing, at over 5m in height, and visual striking digital billboard would not be on a human scale

The area is due to undergo significant change over the next decade as laid out in the NDF and regeneration of this section of Oldham Road has progressed since the last billboard was refused in 2018. A five-storey, mixed-use commercial and residential building has been constructed directly adjacent to the site.

This is reflective of the aim contained within Section 8.3 of the PSZ NDF that active ground floor uses will be promoted at this location. It is considered that the supporting structure is counter to this aim and would create a visually dead and imposing zone to passing foot traffic.

Directly behind the site are two major site allocations from the PSZ NDF, the Ancoats Mobility Hub, currently under construction, and the adjacent Ancoats Green, from which the rear of billboard structure would be visible.

In the context of this regeneration, the City Council seeks to enhance visual amenity along Oldham Road and hence the development is considered unacceptable pursuant to the provisions of the Poland Street Zone NDF (2020) and SP1 of the MCS.

Public safety

No safety concerns have been raised by Highways Services or Environmental Health. Highways Services noted that the illuminance was not acceptable. Both requested conditions that would have limited the illuminance level. On balance, it is considered that the proposed development would not be detrimental to public safety.

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies

of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Refuse

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed billboard, by virtue of its scale, design, materiality and siting, would form an unattractive and obtrusive feature in the street scene. The advertisement would fail to respond positively to its surroundings, creating a dominant and incongruous feature along this part of Oldham Road which would be detrimental to visual amenity. In addition, the advertisement fails to preserve or enhance the special character and appearance of the Ancoats Conservation Area together with the ongoing regeneration of the Poland Street Zone which seeks to improve the character and appearance of Oldham Road. This would be contrary to the provisions of policies SP1, DM1 and EN1 of the Manchester Core Strategy, saved policies DC15 and DC18 of the Unitary Development Plan, Sections 12 and 16 of the National Planning Policy Framework and the Poland Street Zone NDF.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

166 Oldham Road, Manchester, M4 6BQ
184 - 186 Oldham Road, Manchester, M4 6BQ
95 Oldham Road, Manchester, M4 5FS
Royal Mail, Manchester Mail Centre, 77 Oldham Road, Manchester, M4 5AA

Appendix 2 – Planning constraints

Article 4 Direction - City Centre PD Restriction - Class B1(c) To C3
Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Ancoats Conservation Area 1989
Area Team Boundary - Name: CENTRAL

Appendix 3 – PINS Appeal Decision Appeal Ref: APP/B4215/Z/18/3195390

Appeal Decision

Site visit made on 13 March 2018

by **S J Lee BA(Hons) MA MRTPI**

a n Inspector appointed b y the Secretary o f State for Communities
and Local Government **Decision date: 6 t h April 2 0 1 8**

Appeal Ref: APP/B4215/Z/18/3195390
176-182 Oldham Road, Manchester M4 6BQ

- 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 Insite Poster Properties against the decision of Manchester City Council.
- The application Ref 117893/AOH/2017, dated 16 October 2017, was refused by notice dated 13 December 2017.
- The advertisement proposed is replacement of an existing illuminated 48-sheet scrolling advertisement with an illuminated 48-sheet digital display.

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the advertisement on the amenity of the area, including the Ancoats Conservation Area (ACA).

Reasons

3. The appeal relates to the replacement of an existing 48 sheet free standing advertisement with a 48 sheet digital display in the same location. The Council states that the existing advertisement does not have the benefit of consent. The appellant contends that owing to the nature of the existing panel and the length of time it has been in place, it has deemed consent under Class 13 of Schedule 3 of the Regulations. This matter is not before me, though I have had regard to the evidence that an advertisement has been in place in this location for some time and that there is no evidence of any action being taken to seek its discontinuance.
4. The site lies in a busy main road location within the ACA. The street is characterised by a mixture of commercial properties, many with shop fronts. The site itself sits in front of a parcel of land that is currently in use for car sales. This forms a gap in what is a relatively dense built up terrace of properties leading to the city centre. A large sorting office and other commercial uses sit on the opposite side of the wide road. There is a similar free standing advertisement adjacent to the site which sits perpendicular to the road facing north east. There are also a number of similar examples in the vicinity of the site, though many lie outside the conservation area boundary.
5. As the site lies within a conservation area, I am required to pay special attention to the desirability of preserving or enhancing its character or

appearance. From my observations, it is clear that the significance of the ACA lies in its commercial and industrial history and the influence this has had on the urban form, particularly its architecture and street pattern.

6. My attention has been drawn to a number of appeal decisions¹ which have been made in relation to the site itself or adjacent land. I have only been provided with copies of APP/B4215/H/1069012 and APP/B4215/H/10/2137397. In both cases, the Inspectors took account of the existing advertisements that were in place, but still concluded that any replacements would cause harm to the amenity of the area and the ACA. I recognise that what is proposed here is not entirely comparable, and there may have been some changes to the use of land behind the site since these decisions were made. Nevertheless, there is nothing to suggest that the broad character of the area has changed significantly in the intervening period and thus these decisions carry substantial weight.
7. Nonetheless, I have had regard to the fact an advertisement has been in this position for some time. There would clearly be some similarities between what is currently in place and what is proposed. The advertising panel would be the same size. However, it would be a digital display, which would alter both its appearance and prominence in the street scene. There would also be a substantial brick panel underneath the display, which would also have an artificial brick surround. This would result in the advertisement being both wider and taller than at present. The depth of the advertisement would also increase. Although already prominent, the existing advertisement has a lightweight appearance. The proposal would appear bulkier and have a more solid construction than the existing display. Coupled with the change to the nature of the display, the structure supporting the advertisement would result in a more prominent, bold and visually dominant feature in the street scene than what is currently in place. Thus there is a clear material difference between the proposal and existing advertisement.
8. When considering the sensitive nature of this location within the ACA, the bright, strident and overtly modern appearance of the display would not complement the more traditional style of buildings further along the road or the character of the conservation area in general. The appellant has argued that this part of the ACA differs to the core area closer to the city. However, the nature of nearby buildings within the ACA still reflects the more traditional commercial and industrial character. Rather than complementing the materials of nearby buildings, the use of brick panelling would only serve to make the advertisement more overt and emphasise the unsympathetic nature of the proposal to its immediate surroundings.
9. Although there are car sales taking place on the land to rear of the site, this is a low profile and low intensity use. Visually, the advertisement would still take up a prominent location in a gap between buildings. This would only serve to increase the prominence and impact of the advertisement, particularly when approaching from the west. The incongruity of its overall appearance within the ACA would be particularly striking.
10. The appellant has drawn my attention to the Planning Practice Guidance (PPG), which suggests advertisements should be located in commercial and industrial areas and adjacent to main highways. While I recognise the site reflects this to

¹ APP/B4215/H/1069012, APP/B4215/H/01/1080324, APP/B4215/H/10/2137397

an extent, the guidance also refers to the advertisement not adversely affecting the visual amenity of the neighbourhood. Irrespective of its commercial and main road nature, the site still lies in a sensitive location and what is proposed would fail to complement the character of the area.

11. I note the Council has raised concerns over the cluster of advertisements and street clutter. There is already an advertisement in place and thus the proposal would not add significantly to the level of clutter that already exists. However, while the additional bulk and prominence of the proposal would still add to and emphasise the cluster of advertisements in the area the degree of additional harm would be limited. This does not alter my view that the nature of the proposal would be harmful to the amenity of the area in its own right, by virtue of its overall size, prominence, design and siting. Consequently, the advertisement would also fail to preserve or enhance the character and appearance of the ACA.
12. The Council's reasons for refusal include reference to the potential effect on regeneration efforts in the area. The regulations and PPG make it clear that advertisements can only be refused where they would be harmful to amenity or public safety. As such, while I have concluded there would be harm to the visual amenity of the area I have given limited weight to any potential indirect impacts on regeneration activity in the area. There is also no substantive evidence before me that the siting of the advertisement would prejudice any specific regeneration activity on the adjacent car sales site. This does not alter my conclusion as to the overall acceptability of the proposal.
13. Taking all matters into account, I find that the advertisement would cause unacceptable harm to the visual amenity of the area, including that of the ACA. I have taken into account saved policies DC15, DC18, E3.3 of the Manchester Unitary Development Plan (1995) and policies DM1 and EM8 of the Manchester Core Strategy (2012) which seek, amongst other things, to protect amenity in terms of the siting and nature of advertisements, conservation areas and radial routes into the City. As such, these are material in this case. Given I have concluded that the proposal would harm visual amenity, there would be conflict with these policies. There would also be conflict with paragraph 67 of the National Planning Policy Framework, which highlights the negative effects of poorly placed advertisements.

Other Matters

14. The appellant has suggested that a 3 year consent could be granted to allow the Council to seek earlier removal of the advertisement should a regeneration scheme come forward. However, this would not remove or mitigate the harm to amenity identified above.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR