

Appeal Decision

Site visit made on 11 December 2024

by N McGurk BSc (Hons) MCD MBA MRTPI

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

Decision date: 17 December 2024

Appeal Ref: APP/P4225/Z/24/3354259
131 Yorkshire Street, Rochdale, OL16 1DS

- 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 Rochdale Metropolitan Borough Council.
 - The application Ref is 24/00511/ADV.
 - The advertisement proposed is replacement of existing paper and paste advertising hoarding with a digital advertising screen (D-Poster).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal is to replace a large existing "paper and paste" advertisement hoarding with an illuminated LED advertisement measuring 6m x 3m. The base of the advertisement would be raised 1.57 metres from the ground.

Main Issue

3. The main issue in this case is the effect of the proposed advertisement on visual amenity, with particular regard to the Town Head Conservation Area and the setting of the Ukrainian Catholic Church of St Mary and St James (the "Ukrainian Church"), a Grade II Listed Building.

Reasons

4. The appeal property is a large semi-detached retail store. It is located in a mixed use area in Rochdale town centre. Surrounding and nearby uses include shops, commercial warehouse units, public amenities and housing.
 5. The appeal property is located close to a major town centre junction, towards which the proposed advertisement would face, where St Mary's Gate intersects with Whitworth Road and John Street. During my site visit, I observed this to be a very busy junction.
 6. The appeal site is located within the Town Head Conservation Area, notable for its range of 19th Century buildings reflective of Rochdale's rich industrial heritage. Also within the Town Head Conservation Area is the Grade II Listed Ukrainian Catholic Church of St Mary and St James. The Church is a notable landmark building, in the style of a Commissioners' Church with an impressive three-stage castellated tower.
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7. During my site visit, I observed there to be impressive views of the Church as one travels east along St Mary's Gate. However, the existing advertisement faces St Mary's Gate in front of and in close proximity to the Church, when viewed from the west. It detracts from east-facing views of the Church, but being a simple, unilluminated paper and paste advertisement, its impact is considerably less than that which would arise from a more intrusive advertisement.
8. The proposal would introduce a large digital advertisement to a prominent site in a busy location. By its very purpose, the proposed advertisement would draw the eye to its illuminated screen. Unlike the existing non-illuminated "paste and paper" advertisement, the proposed digital advertisement would be illuminated during the daytime and during hours of darkness.
9. The intermittent changing of the display – multiple advertisements on rotation – would further draw attention to the advertisement. I find that this factor, when combined with the advertisement's illumination and its prominent siting would result in it appearing as an unduly dominant feature within its surroundings, day and night.
10. All of this would detract from the setting of the Church. Eyes would be drawn away from this impressive Listed Building and towards the advertisement. In particular, the advertisement would severely impact on views of the Church from the west.
11. Consequently, I find that the proposed advertisement would be detrimental to visual amenity, contrary to the National Planning Policy Framework, to Core Strategy¹ Policies P2 and P3, and to Places for Everyone² Policy JP-P1 and JP-P2, which together amongst other things, seek to protect local character.

Other Matters

12. In support of its case, the appellant draws attention to other signs elsewhere. However, there is little of substance to lead me to conclude that the circumstances relating to these signs are so similar to the advertisement proposed as to provide for direct comparison. However, notwithstanding this, I have found that the proposed advertisement would be detrimental to visual amenity and hence the decision below.
13. The appellant, in support of its case, states that the proposed advertisement could increase business rate revenues, reduce waste, reduce trips to change the poster on the existing site and provide for charitable campaigns or public art during void periods. However, the proposal would be detrimental to visual amenity and I do not consider that this is something that these supporting factors, either individually or taken together, would alter or mitigate to such a significant degree as to alter my conclusion below.

Conclusion

14. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Rochdale Adopted Core Strategy (2016).

² Places for Everyone Joint Development Plan Document (2024).