



Appeal Decision

Site visit made on 20 August 2025

by S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 21 August 2025

Appeal Ref: APP/P4225/Z/25/3369165

276, Yorkshire Street, Rochdale, OL16 2DR

- 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 the Rochdale Metropolitan Borough Council.
 - The application reference is 25/00410/ADV.
 - The advertisement proposed is for the erection of an illuminated digital display.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The local planning authority (LPA) has drawn my attention to the policies it considers to be relevant to this appeal. I have taken them into account as a material consideration. However, powers under the regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan only insofar as they are material and any other relevant factors. Insofar as it is relevant, I have also had regard to the latest version of the National Planning Policy Framework (the Framework), which was published in February 2025.

Main Issues

3. The main issues are the effect of the digital display upon (i) visual amenity and (ii) public safety.

Reasons

Visual amenity

4. The proposed static digital display would be in landscape format, about 6 metres by 3 metres and approximately 4.45 metres from the ground to its base. It would be sited on the gable end of No. 276 Yorkshire Street which is a two-storey commercial building. The gable is set back from the main road by about 5 metres. The digital display would be internally lit and all advertisements displayed would not have a duration of less than 10 seconds, with a daytime light level which would change with daylight ambient levels, and which would reduce to no more than 300 cd/m² at night.
5. The immediate area is a mix of commercial properties with some dwellings and there are advertisements relating to the individual commercial properties. By their

sizes, their generally static displays and low or absence of illumination, they tend to be relatively unobtrusive within their settings.

6. Both parties agree that there was a paper based advertisement sign on the same gable end which was removed possibly around 2021. However, this was a static advertisement, and while by its size it would have had a considerable visual impact upon its setting, it was a static advertisement, whereas the proposed development would have digitally changing images and therefore a different visual impact. In any event, the paper based advertisement is no longer there. For these reasons, I can afford the previous advertisement only limited weight in the decision making process, and in any event, I have determined the application upon its own merits.
7. I find that, as a consequence of its scale, position and illumination and its changing images, the proposed advertisement display would not integrate positively in this location. Although the advertisement would be visible from one direction only in terms of movements along the highway, the impact would be considerable in that direction. It would introduce a garish and discordant feature that would be visually intrusive to the amenity of the local area. Moreover, while the area is substantially a commercial one, there are dwellings close by and, as the appellant notes, the digital display would be seen by their occupiers if only obtusely, thereby harming the otherwise more peaceful and less distracting environment.
8. Furthermore, the proposal would increase the amount and range of advertising over and above the existing signs advertising specific businesses, and it would materially increase the level of street clutter, resulting in harm to the visual amenity of the surrounding area.
9. The appellant has referred to examples of other digital displays, particularly on gable walls in other areas. However, I have no detailed knowledge of their planning histories, nor of the detailed mix of land uses around them, and only a general impression of the visual context of the areas, derived from the submitted photographs. These matters are not sufficient for me to draw conclusions concerning any precedents relating to consistency of decision making, and, in any event, I have determined the appeal based upon its individual merits.
10. Therefore, I conclude that the proposed advertisement would be harmful to visual amenity and would conflict with policy P3 of the Rochdale Core Strategy 2015 (CS) which requires development to contribute positively to the townscape in which it is situated, and with policy JP-P1 of the Places for Everyone Joint Development Plan Document for Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan (2024) (PfE), in so far as this requires development to respect the character and identity of its proposed location. It would also conflict with the intent of paragraph 141 of the Framework which notes that the quality and character of places can suffer when advertisements are poorly sited.

Public safety

11. On my site visit, I was able to note that Yorkshire Street at this point is relatively straight, has footpaths to either side and is lit. While there are side roads in the vicinity of the appeal proposal, there are no particularly intricate junctions where driver concentration needs to be especially free from distractions.
12. Moreover, the proposed digital display would only be visible to drivers and pedestrians travelling in a westerly direction and as far as drivers are concerned,

the sign would be generally within their vision without them having to turn away from the road in front of them.

13. The LPA notes that *'in recent years there have been 5 accidents on this stretch of road'*. However, I have no information before me as to the timescale other than in very general terms, nor any details as to the causes or type of such accidents. This limits the weight to which I can afford to this matter.
14. For the reasons above, I do not consider that the proposed digital display would significantly and adversely affect public safety. Therefore, I conclude that the proposed display would accord with PfE policy JP-P1 in so far as this aims to make areas safe. The proposed development accords with paragraph 116 of the Framework which considers that development should only be prevented or refused on highways grounds if there would be an unacceptable impact upon highway safety.
15. I do not consider that CS policy DM1, as quoted by the LPA in its Decision Notice, to be directly relevant, other than its concern to ensure that developments have acceptable access, or with CS policy T2 which is more concerned with sustainable transport and accessibility for all users and with the reduction in pollution levels and carbon reduction.

. Other Matters

16. The appellant lists the advantages of digital displays including their more sustainable nature than traditional forms of advertisements, avoiding their regular replacement and, by their remote control, the associated journeys to site and the carbon production in the process. In addition, they help to reduce the number of paper based signs and therefore clutter, and they permit their use for emergency and other community messages and information. However, these matters are not generally pertinent to the only two matters of amenity and highway safety upon which the proposal must be assessed, but even if these were relevant considerations, they are not sufficient to outweigh my conclusions upon the main issues.

Conclusion

17. While I have concluded that the proposed development would not cause harm to public safety, it would cause harm to the visual amenity of the area. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR