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Planning Control
Manchester City Council
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23rd March 2021

Dear Sir/Madam

TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2017

REMOVAL OF EXISTING POSTER ADVERTISEMENT DISPLAY AND REPLACEMENT WITH DIGITAL DISPLAY AT 543 HYDE ROAD, MANCHESTER, M12 5NQ

Please find enclosed an application for advertisement consent to upgrade an established paper and paste advertising display to a modern digital format capable of being operated from a central location without the need to visit each site individually.

This is part of an industry wide drive to modernise and upgrade advertising infrastructure to meet modern requirements. It is proposed to replace the existing advertising display using a new display technology on a like-for-like basis, using new display technology that is lightweight, durable, efficient, and can be easily erected, as it is of similar size and scale to the existing unit.

The Proposal

The proposal seeks to update the existing display located to the east of 543 Hyde Road with a digital equivalent which will display static advertisements on rotation.

The scheme will meet modern requirements of advertisers. This will bring a wide range of benefits as follows:

- Upgrade of sites lacking in investment;
- Reduction in vehicle trips for reposting adverts (i.e. from an average of 34 trips to 2);
- Consolidation and overall reduction in the number of advertising displays in the network;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- Ability to broadcast emergency messaging (e.g. public health messaging);
- Ability to use void periods for non-commercial campaigns;
- Opportunity for more creative real time and locally relevant advertising;
- Opportunity to integrate additional hardware to meet Smart City objectives.

Content will be controlled remotely in real time from a Networks Operation Centre (NOC) and the site will be monitored remotely 24/7 to facilitate responsive maintenance. Diagnostics software will report and resolve the majority of issues remotely.

The display would be limited to 300cd/m² at night time (on a full white display) in accordance with the Institute of Lighting Professionals best practice guidance; *The Brightness of Illuminated Advertisements PLG05 2015* and will adjust according to ambient brightness. The level of illuminance will be set on site manually to be at an appropriate level for the area and to mimic the poster being replaced. Whilst the ILP guidelines will represent the upper limit, the actual level of illuminance in all likelihood will be well below this.

The following conditions have become established as best practice for roadside digital displays and will be applied to control the operation of the digital poster in the interests of amenity and public safety:

- Static images to be displayed only (no moving or flashing images);
- Changes between adverts to take place instantly with no sequencing, fading, swiping or merging of images;
- Advertisements to change no more frequently than once every ten seconds;
- At no time shall the Luminance level of the signs exceed the thresholds contained within the Institute of Lighting Professionals (ILP) guidance document PLG05 – The Brightness of Illuminated Advertisements 2015 (or any subsequent amendment/replacement to this guidance).

Where circumstances demand, additional controls or variations of these conditions may be acceptable to the applicant. However, it would be expected that the Local Planning Authority present evidence based justification for deviating from the standard approach as any planning conditions imposed must meet the six tests as set out in National Planning Policy Guidance (NPPG).

The Site

The proposal site is located 6m north of Hyde Road and approximately 50m to the west of Boundary Street, supporting a single board. The site surroundings are predominantly commercial and industrial in character, with uses including the Belle Vue Convenience Store (the current use of 543 Hyde Road), a disused petrol station (25m east), the British Car Auctions site (100m to the south) and a car wash (100m east).

Whilst not benefiting from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, the proposal site itself is an established location for advertising. Initial consent for a 48-sheet advertisement board was granted in December 1982 (Ref: F/AD03860). More recently, Google Street View imagery shows that a board of the same size and position has existed on the site from as early as July 2008 to the present day, although we understand there to have been a period where the advertisement was removed and a similar advert reinstalled.

Hyde Road (A57) is a main route leading east into Manchester City Centre from the M60 and has established advertising precedent in the surrounding area – both commercially-based and from standalone advertisement boards. There are two existing displays to the east of the site, including a double-sided paper and paste board to the west of Fenton Road (150m) and two V-splay digital boards to the east of Boundary Street (70m). A further digital billboard is located 85m to the west of the site and is orientated in a westerly direction along Hyde Road.

The site and its surrounding area does not contain, nor are they in close in proximity to, any listed buildings or Conservation Areas.

Planning Policy and Material Considerations

The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the “Regulations”). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.

The National Planning Policy Framework 2019 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 132 of the National Planning Policy

Framework (NPPF) advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts. As described in the National Planning Practice Guidance (NPPG) the regime is a “lighter touch” than the system for obtaining planning permission for development. The NPPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.

The development Plan for the area consists of the Manchester Core Strategy (2012) and the ‘saved’ policies from the Manchester Unitary Development Plan (1995). The site is within East Manchester, which Policy EC5 and Policy H4 earmark broadly for employment and residential development, respectively. The site is not included within any official allocation, although Saved Policy AB7 and AB8 of the UDP indicates two sites in the vicinity as suitable for “business/commercial development” and “non-retail commercial purposes”.

Saved Policies DC15.1 and 15.2 reinforces the need to consider applications only on amenity and public safety, although does note the following relevant considerations of the Council to be made in decisions:

- The general location of the proposed development and the effect on visual amenity;
- The scope for posters and hoardings to make a positive contribution to the locality;
- The design of the structures, and the relationship with any premises on which they are located;
- The effect of the proposal on permanent redevelopment of the land;
- Public safety resulting from positioning of the design of the display;
- The ease with which the structure is capable of being satisfactorily maintained;
- The use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
- The number of advertisements in the locality and their cumulative effect on visual amenity;
- The harm to the character and architectural features of a building or any interference with its proper use;
- The scale of the proposals in relation to its locality and the site on which they stand; and
- The potential for intrusion on residential neighborhoods and areas of high amenity value.

The aforementioned display erected to the east of Boundary Street was the subject of an appeal decision in December 2018 (Ref: APP/B4215/Z/18/3209529) against the Council's decision to refuse planning permission for the replacement of two existing 48 sheet boards with two internally illuminated digital LED boards (LPA Ref: 120317/AOH/2018) (hereafter ‘the Boundary Street decision’). The appeal was allowed.

The application was refused by the Council due to its cumulative and detrimental impact on visual amenity by way of being unduly obtrusive, incongruous and over dominant feature within the streetscene, whilst also adding to existing advertisement clutter within a prominent location adjacent to a radial route to the City Centre, as well as undermining local regeneration.

The proposal site is referenced in paragraph 6 of the decision when the Inspector notes the context of advertisements in the locality. At paragraph 11, when considering the impact of the proposals and the cumulative impact of the advertisements, they concluded:

“The position and splay of the proposal would not alter the current situation that three hoardings would be visible within a 137 metre stretch when travelling westwards along Hyde Road and two moving eastwards; thus, the proposal would not add to advertisement clutter. There would be in excess of 50 metres between the hoardings, which I consider to represent a sufficient degree of separation to ensure that when viewed along the street, the advertisements would not be obtrusive either individually or cumulatively”.

The Boundary Street decision is a material consideration when understanding both the baseline and the impact of the development proposals.

Planning Considerations

It is acknowledged by the application that the change in the type of illumination and the potential to increase the rate of change of the advertise would require express advertisement consent. The impact of these alterations has been considered in amenity and public safety terms as follows:

Amenity

On a strategic level the digitisation of the advertising network will see an overall reduction in the number of advertising sites.

As the proposal seeks to replicate the existing advert and therefore mimic the existing situation, there will be minimal impact on the visual amenity of the surroundings. The size and positioning of the advertisement will remain the same and the level of illumination will reflect local and ambient conditions, with little material change to the site as it currently exists.

The controls proposed over the level of luminance at night are in line with the ILP Guidelines and industry best practice and will ensure that the proposed display does not cause any material harm to amenity. The context of the surroundings, including existing street lighting along Hyde Road, establishes the site as appropriate for an illuminated advert of this type. Additional controls over the display will be considered if necessary to remedy a specific amenity concern.

The proposal would not be detrimental in either an immediate or wider sense. It is not within a conservation area, attached or adjacent to a listed building, or within proximity of any local heritage assets.

The character and setting of the site, street scene and surrounding area is almost entirely commercial and industrial in nature. It is in such areas that National guidance and advice advocates locating advertisements; here, any impacts are appreciably less and commensurate to their commercial and industrial surroundings. In this regard, the proposal should be considered acceptable.

Travelling west along Hyde Road, when viewing the site, the proposal would be seen within the same context of the disused petrol station, a four-storey commercial building to the north and the eastern elevation of 543 Hyde Road. These features are dominant in the street scene and would cause the proposal to appear subservient, whilst avoiding any implications on the existing and/or future redevelopment potential of the immediate area – including the positioning of the display facing outwards from the blank and unsightly elevation of 543 Hyde Road. The trees and vegetation lining Hyde Road along this stretch are concentrated on the southern side of Hyde Road and would be unaffected by the proposals.

As established by the Boundary Street decision, the existing concentration of advertisement proposals is not considered to be obtrusive either individually or cumulatively on this stretch of Hyde Road. The proposals, which include a like-for-like replacement of the existing display with a digital equivalent and would provide an acceptable level of illumination, does not alter the Inspector's conclusions.

Altogether, given the commercial and industrial nature of the site and surrounding area, the similarities between the existing and proposed unit, as well as the presence and established acceptability of cumulative impact along Hyde Road, the proposals would result in little, if any, material change in the appearance of the street scene. As a straight swap the display would not amount to clutter, sitting comfortably in its visual context without harming amenity, the qualities of the site, or the character and appearance of the wider area.

Public Safety

When assessing public safety, the key considerations are whether the location is appropriate (i.e. undemanding on the driver) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from the driving task. As the principle of an advertisement has already been established at this location, the Council must only consider whether the proposed controls are sufficient to ensure that there is no additional distraction which would cause an unacceptable impact on highway safety. Should the Council's Highways department identify any reasons why the location might be

challenging to drivers, the applicant would be open to discussing alternative controls. However, it should be noted that the proposed conditions are now well established as best practice and as such any change (e.g. to the rate of change) would need to be evidence based and be specific to the location.

The proposed display would occupy the same setback and offset position as the existing unit, ensuring site lines and visibility splays are maintained. The proposed, single display would only be seen by traffic travelling west along Hyde Road, which is limited to 30mph, is well lit, straight, level, and has excellent forward visibility. Highway users would therefore be fully capable of glancing content far in advance of the site without being distracted from the road or traffic conditions ahead. The cognitive demand on road users at this point is low and there are no unusual highway complexities which would require extra care to be taken. As such, drivers would be entirely capable of viewing advertisements whilst maintaining stopping distances and an awareness of surrounding traffic movements.

Under these circumstances, such a familiar feature of Hyde Road and the surrounding highway network, would not constitute a hazardous distraction to anyone exercising a reasonable standard of care. Consequently, the proposal would not give rise to public safety issues, which would prevent the granting of an express advertisement consent.

Conclusion

The proposal will not change the size, position or orientation of the existing advertising display. As such the established acceptability of this advertisement should not change materially. The proposed conditions to control the luminance of the screens and the operation of the digital screens will ensure that there is no additional harm to amenity or road safety.

For these reasons and the positive benefits set out above, it is considered that the application should be granted consent.

Application Submission

In order to complete the application, please find attached the following documentation:

- Completed application forms prepared by Carter Jonas
- Letter Statement prepared by Carter Jonas (this letter);
- Architectural drawings and CGIs:
 - 011-0203-0025_01 Site Location Plan;
 - 011-0203-0025_02 Existing Site Plan;
 - 011-0203-0025_03 Proposed Site Plan; and
 - 011-0203-0025_04 Existing and Proposed Elevations.

Additionally, we will arrange payment via the Planning Portal for the sum of £462.00 (plus £25 Planning Portal Fee) to cover the cost of this application for Advertisement Consent.

I trust that the above is clear and we look forward to receiving notification that the application has been registered in due course. Should you have any queries in relation to any of the attached information, please do not hesitate to contact me.

Yours faithfully,



James Ellis

Planner

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