

30 January 2025

Manchester City Council
Planning Dept
PO Box 532
Manchester
M60 2LA

SUBMITTED VIA PLANNING PORTAL

CCUK Ref: 00043/BP
Planning Portal Ref: PP-13735362

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS)
(ENGLAND) REGULATIONS 2007 (AS AMENDED)**

ADVERTISEMENT AT VICTORIA AVENUE EAST, MANCHESTER

In accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 ("the Regulations"), please find enclosed an application for express advertising consent.

The application comprises the following documents and drawings:

- Application Form
- Site Location Plan
- Site Block Plan
- Existing Elevations
- Proposed Elevations
- Proposed Specifications
- Poster/Digital 48-Sheet Comparison
- Vertical Meadow Planning Specification
- Copy of express consent ref. 126588/AOH/2020

The fee of £578 will be submitted via the Planning Portal under the relevant reference.

THE APPLICATION SITE AND PLANNING HISTORY

The application site comprises land at North Manchester Rugby Club, overlooking the Greengate roundabout.

The proposal is for a freestanding internally illuminated 48-sheet (6m by 3m) digital poster display (featuring a vertical meadow) sited on the southern boundary.

The site has an established planning history. In July 2003, the Council permitted a 48-sheet (6m by 3m) poster display (application ref. 068028/AOH/2003/N1).

This was later superseded by consent for an internally illuminated display of the same size in January 2007 (application ref. 080197/AO/2006/N1).

This illuminated advertisement was on display for more than a decade until it was removed in advance of the installation of a digital variant, capable of displaying images on rotation, permitted by application ref. 120042/AO/2018.

Clear Channel elected to make a minor amendment in 2020, seeking express consent for the digital display *plus* a vertical meadow (ref. 126588/AOH/2020). Express consent was duly granted in March 2020.

This consent has not been implemented due to delays, mainly the result of the Covid Pandemic, but remains extant as Section 91 of the Town and Country Planning Act 1990 does not apply in the case of advertisement applications, and the standard five-year express term imposed by Schedule 2 of the Regulations holds sway.

Therefore, consent is sought to refresh the planning position for a new five-year term. The proposal is near identical to that permitted by express consent ref. 126588/AOH/2020.

Such advertisements are now increasingly common as the advertising industry transitions towards more flexible and sustainable media platforms.

As with the previous grants of consent, therefore, Clear Channel propose to operate the display in accordance with best practice guidance and conditions and limitations used industry wide, part of the Outsmart (2021) roadside advertising code.

Hence, the proposed advertisement will not detract from local amenity or pose a material risk to public safety, as required by the Regulations.

THE PROPOSED ADVERTISEMENT

The proposed advertisement would have a landscape profile and a display area measuring 18 sqm. The display modules would be enclosed in a pressed metal and reinforced plastic frame that is lightweight and can be erected with limited additional engineering.

The display would present a range of static images on rotation, at the industry standard of once every 10 seconds. Advertisement images would not, therefore, contain any movement, animation, or flashing lights, with the interchange between each advertisement a gradual and smooth fade.

The display would be illuminated to levels that accord with the recommendations of the Institute of Lighting Professionals, set out in its publication “The Brightness of Illuminated Advertisements Including Digital Displays” (“PLG05/23”). This document is the latest in a series of publications regarding illuminated advertisements and accepted as canon by both local authorities and media/advertisement companies nationwide.

PLG05/23’s recommendations regarding maximum luminance levels for illuminated advertisements at night (or hours of darkness) are set out in Table 10.4 of the document, summarised overleaf.

Recognising the changing levels of ambient light throughout the day, PLG05/23 states that digital displays should not exceed 5000 candela/sqm (cd/sqm), and that planning authorities should not place unreasonable restrictions on such installations. It sets out examples of such unreasonable planning conditions/limitations in Section 5.

Nevertheless, it places an emphasis on utilising systems which regulate an advertisements brightness according to the prevailing conditions, taking into account the changing dawn and sunset times throughout the year, such as ambient light sensors; the proposed advertisement(s) utilise such systems.

The proposed advertisement adjusts its output according to the prevailing levels of ambient light, up to 3000 cd/sqm luminance on the brightest of days. While 3000 cd/sqm is the maximum threshold, average luminance of bright colours within advertisements on the brightest of days is around 2500 cd/sqm; on dull overcast days, average luminance of bright colours within advertisements is around 375 cd/sqm.

Zone	Surrounding	Lighting environment	Examples	Maximum recommended luminance (cd/sqm) at night (displays over 10 sqm)
E2	Rural	Low district brightness	Village or relatively dark outer suburban locations	200
E3	Suburban	Medium district brightness	Small town centres or suburban locations	300
E4	Urban	High district brightness	Town/city centres with high levels of night-time activity	300

Summary of Table 10.4 of PLG05/23

During periods of darkness, the display operates at a set darkness setting with a maximum brightness of 300 cd/sqm. The display therefore operates in full accordance with PLG05/23 and would never appear overly bright or cause glare.

In addition, content will be controlled remotely in real time and the site will be monitored 24/7 using diagnostics software to facilitate both responsive maintenance and resolve any issues that arise.

With regards the vertical meadow green wall; it is effectively a vertical plantation comprising various wild flowering species. Endorsed by bodies such as the London Wildlife Trust, it aims to provide not only a visually appealing element, but also encourage local biodiversity and enhance the natural capital of urban/city environments by attracting wildlife (bees, butterflies etc.).

This accords with the thrust of legislation to support urban greening, making it mandatory for planning proposals to secure a 'biodiversity net gain' (although no such requirement is imposed on advertisements).

Installed underneath the advertisements, its modular design includes a backboard, seeded mat and water tank irrigation system comprised of sustainably sourced materials. It will be maintained in accordance with Clear Channel's normal servicing schedules. Further detail is enclosed with this application.

To ensure compliance, Clear Channel advance a series of planning conditions, in addition to those applied as standard by Schedule 2 of the Regulations:

- i. During periods of darkness, the luminance level shall not exceed 300 candela/sqm as advised by the Institute of Lighting Professionals' publication PLG05 (2023): "The Brightness of Illuminated Advertisements including Digital Displays", or any publication replacing or superseding this guidance;
- ii. The screen display shall only show two dimensional static images, shall contain no moving images, animation, video or full motion images and no messaging should spread across more than one screen image;
- iii. The display shall be switched off between the hours of 00.00 and 05.00;
- iv. The advertisement display shall not change more frequently than every 10 seconds; and
- v. The illumination of the advertisement shall not at any time be intermittent.

POLICY FRAMEWORK

The powers to control advertisements under the Regulations may be exercised only in the interests of amenity and public safety, taking account of any cumulative impacts.

The National Planning Policy Framework ("the Framework") and the Planning Practice Guidance ("the PPG") reiterate this approach, and under section 222 of the Town and Country Planning Act 1990 Act, planning permission is deemed to be granted for any development of land involved in the display of advertisements in accordance with the Regulations.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the primacy of the development plan does not apply to advertisements and therefore local policies are material insofar as they are relevant; they are not decisive. Greater weight is attributed to site specific circumstances.

The Framework states that great weight should be given to outstanding innovative designs which promote high levels of sustainability, consistent with the emphasis that local planning authorities should respond positively to changes and innovations offered by new technology.

Digital poster displays offer an efficient and sustainable media platform. They are readily recyclable, and whereas traditional paper or vinyl adverts' content remains in situ until it is (manually) changed, the proposed advertisement's

remote operation removes the need for frequent site visits and reliance on non-renewable resources.

PLANNING BALANCE

The proposal advanced in this case is identical to the grant of express consent ref. 126588/AOH/2020. This (extant) consent permitted the display of static, sequential images on rotation, at a frequency of once every ten seconds. Levels of luminance were to be limited according to PLG05/23. None of the parameters or planning conditions advanced in this case alter this position.

In short, this submission ensures continuity in the planning process. Given that there have been no substantive changes in the locality since the original approval, and the proposal remains unchanged, it is respectfully submitted that consent should be granted again on the same basis.

On balance, therefore, the proposal would sit comfortably in its visual context and would have no discernible impact on the existing character and appearance of the area. Nor would such a familiar urban feature constitute a potentially hazardous distraction to anyone exercising a reasonable standard of care for themselves and others' safety.

SUMMARY

The proposal submitted reflects the applicants' preferences.

Should the Council wish to discuss any aspect of the scheme, Clear Channel would welcome the opportunity to address any concerns prior to determination.

I look forward to receiving confirmation that the application has been validated. If you require additional information or clarification, please do not hesitate to contact me.

Yours faithfully

Ben Porte

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 **Clear Channel**
Creating the future of media