

19th December 2022

Manchester City Council
Planning
PO Box 532
Manchester
M60 2LA

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Address: Land at Fairfield Street (off William Street), Manchester, M12 5FX

Proposal: Conversion of 5no. externally illuminated advertising displays to one Portrait D-Poster digital slimline advertising display

Wildstone Site Reference: 11685 – Fairfield Street

Dear Sir/Madam,

We have been instructed by Wildstone Estates to submit an application for advertisement consent to upgrade a long established advertising site which hosts five illuminated paper and paste billboards, to a single modern portrait D-poster slimline digital advertising display (D-poster). As part of the application, the five existing billboards which comprise the site will be removed, resulting in an 80 % reduction in the number of advertisements at the site. This process is part of an industry wide drive to rationalise, modernise and upgrade advertising infrastructure to meet modern requirements. The upgrade to the D-poster format allows for a high quality, low impact, technologically advanced digital display to be implemented, meeting both community and industry requirements.

The Proposal

The proposal seeks to “repost” the existing billboards at the junction between Fairfield Street and Mancunian Way with a Portrait D-poster. The D-poster will measure 5m in width, 7.5m height, and 2.75m above ground level, matching the dimensions and appearance of a similar proposal (for digital displays) located immediately west of the site, and granted express consent during December 2019 (LPA ref: 123100/AOH/2019, appeal reference 3236553 **Appendix 1**). As with the with the previously consented displays, the proposed D-poster would present a static two-dimensional advertisement every 10 seconds over a one minute cycle.

The proposed D-poster will adhere to conditions set out within **Appendix 2** to control its operation. The digital display will be limited to 300cd/sqm at night in accordance with the Institute of Lighting Professionals best practice document ‘*The Brightness of Illuminated Advertisements PLG05 2015*. During daytime, Illumination would be carefully controlled through use of ambient light sensors, lighting schedules, and a real time feed to a network operations centre to ensure the D-poster mimics the appearance of the existing illuminated billboards. The D-poster will be controlled and monitored in real time over a 24-hour period from the a Networks Operation Centre (NOC) to facilitate responsive maintenance. Diagnostics software reports any faults, and a kill switch can turn the content to black if an issue arises.

Evidence based justification would be required for deviating from this standard approach in order to meet the six tests as set out in National Planning Policy Guidance (NPPG).

Benefits of Digital Advertising

The attractiveness of digital advertising to an infrastructure provider is that it allows the advertising network to be better managed, monitored and maintained. For operators the inherent flexibility allows smarter real time campaigns and better control over sales. These factors manifest in wider public benefits as summarised below:

- Uplift in business rates to spend on public services;
- Reduction in vehicle trips and association noise, air quality and climate considerations;
- Removal of multiple advertising sites and panels and reduction in clutter;
- Reduction in waste involved in the poster production process;
- Greater flexibility to enable better access to advertising displays for local businesses;
- Platforms to broadcast emergency messaging;
- Ability to use void periods for public messaging campaigns (i.e. Covid-19 Government messaging); and
- Opportunity to integrate additional hardware to meet Smart City objectives.

These are benefits to development that will not be achieved by maintaining the status quo.

The Site

The proposal site is located on a small plot of land adjacent to the junction between the A635 Fairfield Street dual carriageway (passes the site to the north), and the A635 Mancunian Way dual carriageway (passes the site to the west). To the south of the site lies a commercial self-storage facility comprising shipping containers. To the east lies a vehicle repair garage, and beyond both Fairfield Street and Mancunian Way are further commercial

/ industrial uses and buildings. There are no residential properties within proximity of the site, or with views of the proposed D-poster.

It is clear that the site is viewed and experienced within the context of the surrounding highway environment and the extensive commercial / industrial built form throughout the immediate and wider area (see **Figures 1-4** below). The proposal would not appear incongruous or out of character, and would successfully integrate with the character and appearance of the street scene. The site also complies with National advice and guidance for the location of large format roadside advertising displays; the guidance stipulates that advertisements should be located within commercial / industrial areas where impacts are appreciably less and commensurate to the environment in which they function.

There are a number of other digital advertisement displays in the wider area which have been granted express consent and remain in-situ at this time. They form part of the city side network in Manchester and demonstrate the in-principle acceptability of this format on primarily arterial roads within the city. While these advertisements would not be visible in the same views as the proposed D-Poster they also highlight the appropriateness of the site and surrounding area for modern advertising. This is specifically demonstrated by the consented portrait panels under appeal 3236553 **Appendix 1**. Their near identical size, scale, elevation and height above ground level, were considered acceptable by the Planning Inspector at a position immediately adjacent to the extant proposal. The Council also considered the identically sized portrait display in close proximity to the east on the A635 (Ashton Old Road) to be entirely acceptable, granting a retrospective express consent during 2012 (under reference 098081/AOH/2011/N2). The site has successfully operated for over 10 years without issue or complaint, demonstrating the acceptance of displays size, scale, and format. Further examples are located to the west on the A635 where back to back portrait displays of similar size and scale have operated for over 10 years, and were granted express consent under ref: 098578/AOH/2012/S1 for their retention in 2012.

Under the Manchester Local Development Framework Area Map the site lies within a Regional and City Centre designation. In regard to the Development Framework policies, the site is ideally located.

Moreover, there are no planned changes to the site or surrounding environment which would materially affect its appearance, layout, function, or use as a commercial / industrial location. Thus, the site and surrounding area is a suitable location for the proposed D-poster.



Figures 1-2: Site lies adjacent to the busy Fairfield Street and Mancunian Way, with industrial and commercial built form throughout the immediate area.



Figure 3: Aerial overview of site. The character of the surrounding is clearly industrial / commercial.

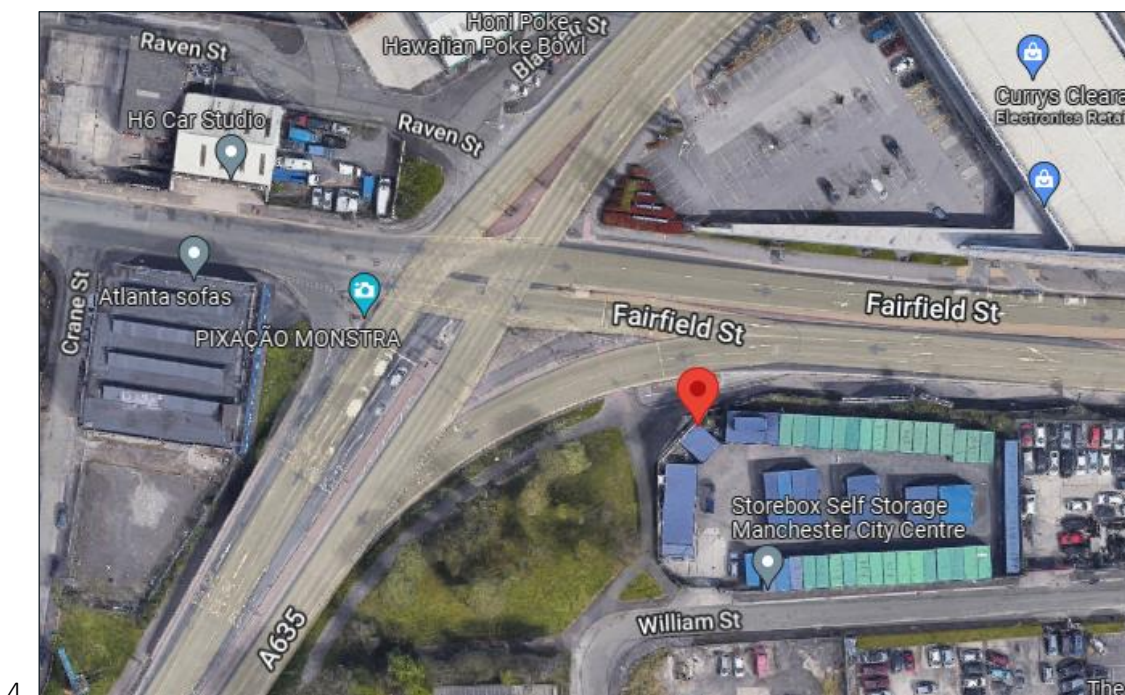


Figure 4: Aerial overview of site and immediate commercial / industrial surroundings.

Planning Policy

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 2021 (NPPF) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 136 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.

Planning Considerations

The site benefits from deemed consent under Class 13 of the Regulations, having been in operation for over 10 years without any material alterations, issues, or complaints. It is an established and accepted location for large format illuminated roadside advertising, with its usage dating back to at least 2008. Consequently, the proposal represents a feature that would not be unexpected or appear out of place. The proposal will also lead to an 80% reduction in the number of advertisements on site, improving the site's appearance within the street scene and reducing clutter and any potential negative or cumulative effects due to the number of advertisements on this site. Coupled with the strict control over the proposal's day and night operation, it is ensured that any change in the visual impact of the site and surroundings is de-minimus and not material. The Planning Inspector considered this to be the case for the near identical proposal (5m width x 7.5m height) located immediately west (on the adjacent grassed area) when granting express consent during December 2019 (3236553 **Appendix 1**). It therefore stands to reason that the proposal, a near identical scheme, would also be acceptable. To arrive at any other decision, the Council would be in contradiction of its requirement to demonstrate consistency in decision making. Nevertheless, it is acknowledged by the applicant that the proposal's change in the type of illumination, and the sequential update of advertisements would require express advertisement consent. The impact of these alterations has been considered in amenity and public safety terms as follows:

Amenity

The proposal would not be detrimental in either an immediate or wider sense; it is within a commercial and industrial environment, bounded by two dual carriageway highways, and is a wholly appropriate location for D-poster advertisements. Furthermore, the site is not within a conservation area, attached or adjacent to a Listed building, or within proximity of any local heritage assets. As the proposal will reduce the number of advertisements on site by 80% and seek to replicate the appearance of the existing paper and paste billboard poster content; see **Appendix 3** which demonstrates the D-poster format alongside a paper paste billboard for two 6m x 3m displays. The comparison clearly identifies there will be minimal impact on visual amenity during daytime. At night, strictly controlled illumination settings will ensure the level of brightness is appropriate to the local area, and equivalent to the existing externally illuminated billboards, albeit with a more even and controllable light spread. Furthermore, the massing of the existing built form to the rear of the site, opposite the site, and preceding the site, ensures that the proposal will successfully integrate to the street scene, and would appear as an expected feature of the utilitarian environment in which it located.

It is clear that the character of the immediate and wider environment is comprised from commercial built form, industrial built form, and extensive highway infrastructure (**Figures 1-4** above). It is this context in which the site and proposed D-poster would be viewed. Highway users approaching the site will note the presence of industrial, commercial, and office buildings, the existing roadside advertising displays, and the signal controlled junction adjacent to the site when travelling east on the B6469 / A635 Fairfield Street. When heading south, approaching

from the A635 Mancunian Way, drivers will again note the presence of the industrial / commercial built form and large scale advertisements which are fully evident in forward views. The site and proposal becomes visible as drivers enter the left hand turn lane onto the A635 Fairfield Street with existing advertisements in forward views.

Regarding illumination, the D-poster would be carefully controlled; brightness is limited to 300cd/sqm, below that of street lighting, street furniture, traffic signals, security lighting, and light emanating from building frontages. Careful day and night calibration will ensure the display does not appear as a casting light source and is only visible over a short to moderate distance.

The acceptability of digital format advertisements of similar size and scale on the main arterials routes into and out of the City has been established through the grant of a network of panels (on the Council's own land). The proposed panel would be of a similar scale to these advertisements and would be located adjacent to highway land. The surrounding area is characterised by commercial buildings of varying height, scale and bulk with generally a utilitarian appearance. As such, the scale, design and positioning of the proposed digital display will be entirely appropriate to its immediate and wider environment.

In consideration of the express consent granted by a Planning Inspector for a similar digital display (3236553, **Appendix 1**) located immediately west of the site, it stands to the reason that the extant proposal (which by comparison would be reduced in prominence) will sit comfortably in its visual context without harming amenity, the qualities of the site, or the character and appearance of the wider environment. With the Council required to demonstrate consistency in decision making, the proposal can not be considered to give rise to amenity issues which would prevent the granting of express advertising consent.

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 illuminated advertisements is already established at this location, the Council need 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 (**Appendix 2**) are now well established as best practice and as such any change (e.g. to the rate of change) would be unusual and would need to be evidence based and specific to the location.

The proposed display would occupy a setback and offset position from the A635 Fairfield Street dual carriageway, the adjacent signalised junction between the A635 Fairfield Street and the A635 Mancunian Way, and pedestrian crossings integrated to the signalised junction. On approach to the site, highway users will be travelling east on the B6469 Fairfield Street which becomes the A635 Fairfield Street at the junction location. Approaching the junction location, the highway comprises a single carriageway with east and westbound lanes. At this point the highway is straightforward and uncomplex. Two traffic signals control the approach to the highway, they are readily visible and would be unaffected by the proposal, which would appear in offside views to drivers travelling west along Fairfield Street.

At the junction, traffic is split between two carriageways and may complete turn left, straight on, and right turn manoeuvres. The site becomes visible once drivers have selected and moved towards their direction of travel and will appear further setback from the highway and traffic signals as drivers move towards and past its location. Highway users will be able to glimpse views of the portrait D-poster without detracting from the safe usage of the highway. The site is not visible when travelling west and is screened by industrial / commercial built form. Currently drivers must assimilate [5] advertisements on the approach, therefore, the proposed application will simplify the current position to the benefit of public safety.

Both the B6469 Fairfield Street and A635 Fairfield Street are limited to 30mph, are well lit, straight, level, and have good forward visibility. The highway leading up to and passing the site does not present any difficulties for drivers, the cognitive demand for assimilating the proposed display would therefore be low to modest. As such, drivers would be entirely capable of safely travelling on the highway whilst glancing views of advertisements. Stopping distances, an awareness of surrounding vehicle / pedestrian movements, and the ability to readily interpret traffic signals would be maintained.

Furthermore, the positioning of the proposed D-poster ensures that sight lines / visibility splays for all traffic signals on approach to the site are unaffected. The strict control over illumination and the operation of the D-poster will ensure that it does not detract from the prominence of signal heads. By design, the digital format advertisements will appear significantly less bright than traffic signals controlling the highway junction. The site and surrounding area also benefits from an positive incident history, with www.crashmap.co.uk recording only two incidents in proximity of the site where advertisements would have been visible over the preceding five years (2021-2017). This is an enviable position given that this is a major arterial route in the city.

Under these circumstances, and in regard to the similar proposal granted express consent by a Planning Inspector immediately west of the site (3236553, **Appendix 1**), it stands to reason that the proposed D-poster digital display would not constitute a hazardous distraction to anyone exercising a reasonable standard of care. Moreover, with the Council required to demonstrate consistency in decision making, the proposal cannot be considered to give rise to public safety issues that would prevent the granting of express advertising consent.

Conclusion

The proposal site has been demonstrated to be an appropriate location for advertising in terms of amenity and public safety. The proposal will result in the replacement of five existing illuminated billboards with one D-poster, an 80% reduction in advertisements at the site.

The site lies within an environment heavily orientated to commercial / industrial land use, and highway infrastructure. Commercial buildings, properties, industrial units, and roadside advertising displays are noted throughout the immediate and wider area when approaching and passing the site. In light of the commercial and industrial features, and the extensive highway network, which surround and form the context in which the site is viewed, it is considered the proposal would not appear out of place or incongruous particularly given the digital advertising that has already been granted in the wider area.

Illumination of the proposed display would be strictly governed by specifically developed software, ambient lighting sensors, timing / lighting schedules, and will be controlled from a network operations centre. The display would be calibrated on site, would mimic the appearance of the existing illuminated billboards during daylight,

and be limited to a maximum 300cd/sqm at night. Advertisements would remain visible over a short to medium range only and would not appear as a casting light source.

In terms of public safety, the adjacent highway network is straightforward and uncomplex. The site is viewed from one direction of travel by drivers heading east on Fairfield Street and continuing straight on or turning right at the junction between Fairfield Street and Mancunian Way. The highway, and junction are clearly defined and appropriately signed, with traffic signal heads visible at all times. Drivers will be able to glance an advertisement without losing sight of the road, pedestrians, traffic signals, or traffic conditions ahead. Drivers would be entirely capable of viewing content without endangering public safety.

The proposal will lead to a minor improvement to the appearance of the street scene and surrounding area. As such the established acceptability of the site to host advertisements should not change materially. The proposed conditions to control the luminance and operation of the D-poster slimline display will ensure that there is no harm to amenity or public safety. For these reasons and the positive benefits set out, it is considered that the application should be granted consent.

The proposed D-poster is similar to a digital display granted express consent by a Planning Inspector at a site immediately to the west and is experienced within the same amenity and public safety context (appeal reference: 3236553). Therefore, in light of the Council's requirement to demonstrate and practice consistency in decision making, it is considered that there are no grounds or justification for the Council to not grant express consent. To refuse consent, the Council would be acting in an ultra vires capacity.

Application Submission

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

- Completed application forms
- Letter Statement (this letter);
- Architectural drawings including;
 - 11685_PA_01 Site Location Plan
 - 11685_PA_02 Existing Site Plan
 - 11685_PA_03 Proposed Site Plan
 - 11685_PA_04 Existing & Proposed Elevation
 - 11685_PA_05 Existing & Proposed Elevation

We will arrange payment to Manchester Council to cover the cost of the Advertisement Consent application.

Should you have any queries in relation to any of the attached information, please do not hesitate to contact me.

Yours faithfully,

RP

Richard Page
Planner
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