
GROUNDS OF APPEAL

Hulme Hall Lane, Rear of 628 Oldham Road,
Manchester, M40 8BA

Wildstone Estates Limited

June 2022

Carter Jonas

Date: June 2022

Client: Wildstone Estates Limited

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INTRODUCTION

This appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.

These grounds of appeal have been prepared by Carter Jonas (**‘the Agent’**) on behalf of Wildstone Estates Limited in support of an appeal against the refusal made by Manchester City Council (**‘the Council’**) on 5th May 2022, pursuant to application reference 133126/AOH/2022 (**‘the Application’**) at Land To The Rear Of 628 Oldham Road, Manchester, M40 8BA (**‘the Appeal Site’**) for the following proposal (**‘the Appeal Scheme’**):

“Installation of 48 sheet digital display sign”

The Appeal Scheme was refused under Officer’s delegated powers for the following reason:

“The proposed internally illuminated sequential LED display would further emphasise the presence of advertising material on the site. By virtue of its size, character and siting, the changeable content the hoarding would be an over-dominant and obtrusive feature within the street scene, overwhelming to pedestrians and presenting a poor visual relationship to the buildings behind, to the detriment of the visual amenity of the area and of the key radial route. The proposed sequential display would further emphasise the proliferation of hoarding displays in this location. The proposal would therefore have an unacceptable and detrimental impact on the amenity of the area contrary to Government Guidance contained in Section 7 (Requiring Good Design) of the National Planning Policy Framework, and the saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), and E3.3 (Environmental Improvements and Protection) of the Unitary Development Plan for Manchester, and EN1 (Design Principles and Strategic Character Areas), SP1 (Spatial Principles), and DM1 (Development Management) of the Core Strategy for the City of Manchester.”

The Appellant contests the reason for refusal and does not consider that the proposal has been properly considered on its own merits having regard to the following:

- The fact the existing advertisement benefits from deemed consent under Class 13 of the Advertisement Regulations by virtue of being in situ for a period of over ten years without any enforcement or discontinuance action being brought against it, clearly indicating that the display forms part of the built environment
- The benefits associated with a digital/ADV display, which will result in a significant number of social, economic and environmental benefits through the reduction in CO2 emissions and waste; the use of sustainable energy; the opportunities to advertise charitable campaigns, public art and emergency messaging; the increase to business rates; and reduction in visual clutter at a site-specific and strategic level; and
- The appropriate location, design and scale of the proposed digital display.

APPLICATION PROCESS AND CONSULTATION

The Application was submitted to the Council via the Planning Portal and validated on 11th March 2022. The target determination date was 5th May 2022.

Below is a summary of the email correspondence between the Agent and the Case Officer.

5th April 2022

The Agent contacted the Case Officer to request an update on the application and if any further information was required.

5th May 2022

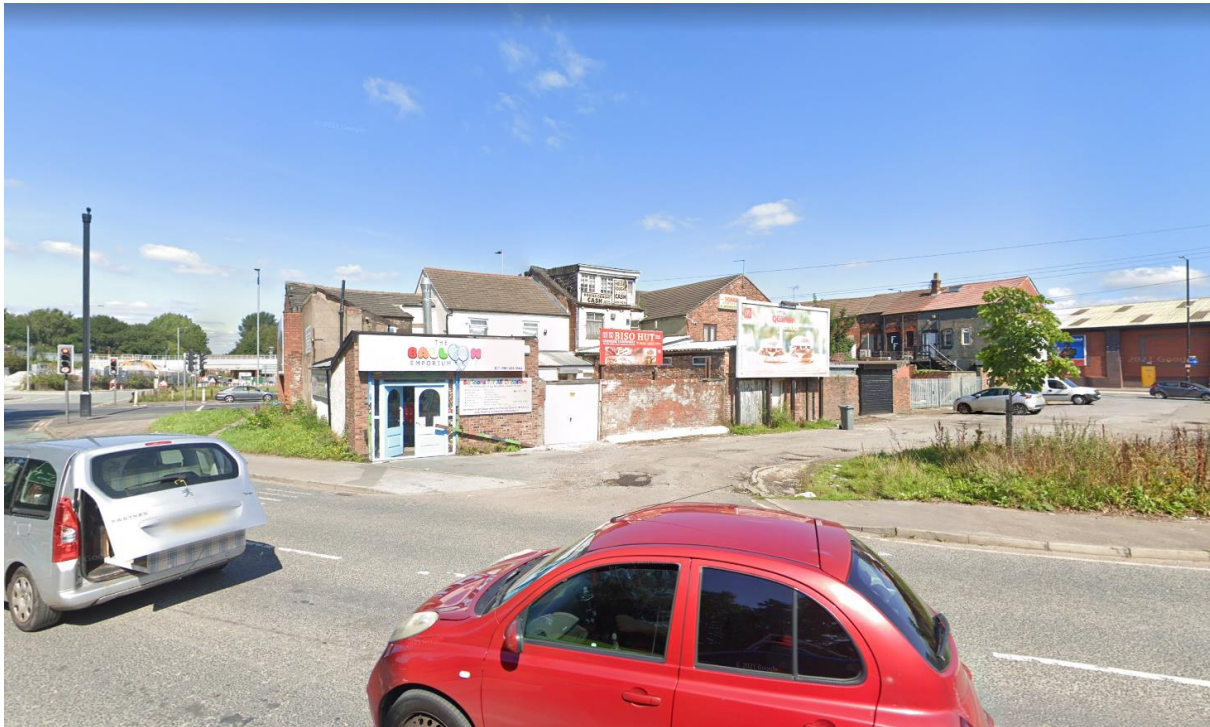
The agent received the decision notice confirming refusal of the application.

SITE AND SURROUNDINGS

Site Context

The appeal site is located on the A6010 between the carriageway of the A6010 and the A62. It currently supports one externally illuminated 48-sheet paper and paste free standing billboard. This can be seen at Figure 1.

Figure 1: View of Appeal Site (Google, August 2021)



The appeal site is situated between the carriageway of the A6010 and the A62, to the rear of a parade of commercial units, therefore the surroundings are predominately industrial and commercial in character.

Hulme Hall Lane (A6010) and Oldham Road (A62) are main routes leading traffic both into and around Manchester City Centre. There is an established advertising precedent in the surrounding area with commercially based and standalone advertisement boards in situ. There is an existing digital display located approximately 35m from the proposed digital display which was granted permission in September 2019 (planning reference number 124354/AOH/2019).

The proposal site is an established location for advertising, having supported the advertisement display for at least 10 years since July 2008. As the size and nature of the advertisement has not altered in over ten years the signage benefits from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

The appeal site does not contain, nor it is it in close proximity to, any listed buildings or Conservation Areas.

PROPOSAL

Signage Proposals and Justification

The appeal scheme seeks to update the existing display at the site by removing the existing paper and paste board and replacing with a digital equivalent which will display multiple static advertisements on rotation.

The proposal will be a like for like replacement of the existing panel, measuring 6m(w) x 3m(h) x 0.061m(d). The new display technology is lightweight, durable, efficient and can be easily erected with minimal engineering. In most instances the re-posting of a D-Poster can be achieved at a similar speed to traditional posting, with minimal structural work and the existing 150mm frames repaired or replaced and painted black. The quality of the image produced will mimic that of a traditional poster.

This is part of a project to modernise and upgrade the existing stock of paper and paste billboards into the 21st century and consolidate and reduce the number of advertising displays across the network. As such, the established acceptability of the advertisement should not change materially.

The advertisement will be digital and will have a maximum luminance that does not exceed 300 candelas per square metre (cd/m²) at night-time in accordance with the guidelines set by the Institute of Lighting Professionals (ILP) Technical Note 5. The maximum brightness will always be within the guidance as set by ILP Technical Note 5 and will be controlled by light sensors to vary the brightness of the screens according to the brightness of the day. During the daytime, the maximum brightness may increase in order to make the screen visible during bright sunlight. This will ensure that the level of luminance of the advertisements is sensitive to change in daylight from sunrise to sunset and from summer to winter.

Only static images (i.e. no moving images or flashing lights) will be displayed, but the advertisements will be capable of changing to display new adverts every 10 seconds depending on how the advertising space is sold. This is line with industry standard units of advertising space for sale, and in compliance with the outdoor media code. The changeover between adverts will take place instantly in order to minimise the potential for driver distraction. This derives from advice received from road safety specialists in line with industry and planning standards.

Operational Conditions

The Appellant accepts the standard conditions for advertising and in addition to this proposes the following standard operational conditions to control the operation of the digital display which have become established as best practice for digital displays in the interests of public 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 or images;
- 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); and
- Advertisements to change no more frequently than once every ten seconds.

It is considered that these conditions are reasonable and related to the appeal scheme.

PLANNING POLICY

The Regulations, NPPF and NPPG

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 safety, taking into account the provisions of the development plan, in so far as they are materials, in addition to other relevant factors. This is reiterated in national planning policy.

The National Planning Policy Framework 2021 (**'the NPPF'**) sets out the government's planning policies for England and how these are expected to be applied. The overarching theme of the document is sustainable development and it seeks to achieve positive improvements in the quality of the built, natural and historic environment. The NPPF places great importance on the design of the building environment as a key aspect of sustainable development.

With regard to advertisements, Paragraph 136 of the NPPF reflects the Regulations which states:

"The quality and character of places can suffer when advertisements are poorly situated and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interest of amenity and public safety, taking account of cumulative impacts"

As described in the National Planning Policy Guidance (**'NPPG'**) the regime is a "lighter touch" than the system for obtaining planning permission for development. NPPG clarifies that local development plans do 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 evidenced base.

Development Plan

The relevant parts of the Development Plan for Manchester City Council consist of the following:

- Manchester Core Strategy 2012-2027 (July 2012); and
- Saved Policies of Unitary Development Plan (UDP) for the City of Manchester (1995).

Core Strategy

Policy SP1 (Spatial Principles) identifies the Council's core development principles and states that development in all parts of the city should make a positive contribution to neighbourhoods including: creating well designed place that enhance character, making a positive contribution to the health, safety and wellbeing of residents,

protecting and enhancing the built environment and minimising emissions. It is considered that the proposal would enhance the existing character of the site by providing a modern upgrade and would provide wider public benefits in terms of emissions by reducing vehicle trips for reposting paper and paste adverts (i.e. from an average of 34 trips to 2).

Policy EN1 (Design Principles and Strategic Character Areas) states all development proposals will be expected to follow seven principles of urban design. Opportunities for good design to enhance the overall city should be fully realised, particularly on major radial and orbital road and rail routes. The appeal site is located on a major transport route and the upgrade of the site will help achieve the objective of Policy EN1. The appeal proposals will improve visual amenity through upgrading the existing site by removing a no longer fit-for-purpose paper and paste display to provide a modern equivalent of the same dimension and height. The Planning Considerations section sets out further details as to how the proposals will help achieve the objectives of good design.

Policy DM1 (Development Management) requires all development to have regard to the following specific issues, including relevant to the Appeal Scheme:

- Appropriate siting, layout, scale, form, massing, materials and detail;
- Impact on the surrounding areas in terms of the design, scale and appearance of the proposed development. Development should have regard to the character of the surrounding area;
- Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation; and
- Effects relating to biodiversity, landscape, archaeological or built heritage.

The appeal proposal would improve the quality of the streetscene and the proposed controls over the proposal would ensure there are no impacts on amenity.

Unitary Development Plan

Policy E3.3 states the Council will seek to upgrade the appearance of the City's major radial and orbital roads which includes Stockport Road. This will include improvements to the appearance of adjacent premises and encouraging new development of the highest quality. The Council considers this an important element in improving the local environment for people living and working on or close to these major routes; to improve the image of the City in order to attract new investment and jobs; and to make the City more attractive to tourists and visitors. Where high quality open space cannot be provided then the Council will promote the site for built development. The proposals will upgrade the existing site to provide a modern digital alternative on a major route, which will result in an improvement in visual amenity.

Policy DC15.1 states the Council will take account of the following matters in advertisement consents, including (relevant to the Appeal Scheme):

- 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 the 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; and
- The number of advertisements in the locality and their cumulative effect on visual amenity.

Policy DC15.2 adds that in assessing the interests of amenity and public safety, the Council will take account of the following criteria:

- Proposals should not harm the character of architectural features of a building, nor interfere with its proper use;
- Proposals should be in scale with the locality and relate properly to the site on which they stand;
- Proposals should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;
- Proposals which would be injurious to public safety or adversely affect the flow of traffic, by reason of its position, size, or design will not be permitted.

The appeal proposals will meet the requirements of Policy DC15.1 and DC15.2. The proposal will be in a location that is considered to be suitable for an advertisement of this type - situated between the carriageway of the A6010 and the A62, to the rear of a parade of commercial units, with surroundings that are predominately industrial and commercial in character. The ability to run a number of advertising campaigns at one time, including locally relevant advertising will make a positive contribution to the locality. The digitisation of the appeal site will also allow for the structure to be more easily maintained, will content controlled remotely and the site monitored 24/7.

In line with DC15.2, the appeal proposals will not intrude into a residential neighbourhood or an area of high amenity value and it has been confirmed by the Council's Highways Officer that there are no objections on public safety grounds.

PLANNING CONSIDERATIONS

Before we consider the reason for refusal, we first explore the planning matters that were acceptable to the Council and outline the substantial environmental, social and economic benefits that the Appeal Scheme delivers.

Accepted Planning Matters

- The proposed advertisement would not impact highways safety;
- The existing advertisement benefits from Deemed Consent under the Regulations.

Planning Benefits

The Appeal Scheme offers significant social, economic and environmental benefits. The direct benefits of the Appeal Scheme include:

- **Environmental Benefits** by dramatically reducing the number of vehicle trips in the area to repost boards and reducing waste from the production process associated with paper and paste posters and subsequent discarding to landfill. The lifecycle carbon cost attributed to the production of LED displays will be spread out over an average lifetime of 10 years, whereas the production and delivery of posters is on a fortnightly basis. The use of LED ensures that the energy requirements are lower than the traditional external halogen lighting;
- **Social Benefits** to the local area as the void periods can be used for non-commercial purposes such as charitable campaigns and public art – amongst other uses. The upgrade to digital posters also offers societal benefit through their capability to support emergency messaging; and
- **Economic Benefits** as instances where displays are upgraded typically result in an uplift in rent, which will in turn significantly increase the business rates payable to the Council.

Reason for Refusal

The Council's reason for refusal was as follows:

“The proposed internally illuminated sequential LED display would further emphasise the presence of advertising material on the site. By virtue of its size, character and siting, the changeable content the hoarding would be an over-dominant and obtrusive feature within the street scene, overwhelming to pedestrians and presenting a poor visual relationship to the buildings behind, to the detriment of the visual amenity of the area and of the key radial route. The proposed sequential display would further emphasise the proliferation of hoarding displays in this location. The proposal would therefore have an unacceptable and detrimental impact on the amenity of the area contrary to Government Guidance contained in Section 7 (Requiring Good Design)

of the National Planning Policy Framework, and the saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), and E3.3 (Environmental Improvements and Protection) of the Unitary Development Plan for Manchester, and EN1 (Design Principles and Strategic Character Areas), SP1 (Spatial Principles), and DM1 (Development Management) of the Core Strategy for the City of Manchester”

The given reasons will now be explored in the context of the relevant Development Plan policies and relevant material considerations to demonstrate that it is not justified and should not be upheld.

In exploring this reason, we have regard to a number of appeal decisions including one on a nearby site at Advertising site adjacent railway bridge, Oldham Road, Manchester, M40 8AG (ref: APP/B4215/Z/20/3259385) as well as an appeal located approximately 2.3km away at 850 Stockport Road, Manchester (ref: APP/B4215/Z/20/3254227). The appeal decision for APP/B4215/Z/20/3259385 is shown at Appendix 4 and the appeal decision for APP/B4215/Z/20/3254227 is shown at Appendix 5.

The appeal site is located within, and overlooks, an area that is predominantly industrial and commercial in character. Furthermore, it is located between the carriageway of the A6010 and the A62. It is in such areas that NPPG¹ advocates locating advertisements; here, any impacts are appreciably less and commensurate to their commercial and industrial surroundings. In this regard, the appeal scheme should be considered acceptable with regard to its current surroundings. Furthermore, the scheme proposes upgrading an existing advertising site which will have a beneficial impact on the visual amenity of the area, which is relatively poor at present and shows no signs of investment.

The appeal Inspector for Advertising site adjacent railway bridge, Oldham Road, Manchester, M40 8AG stated that:

“The Council’s primary concern is that the visibility and prominence of the advertisements would be increased by the illuminated and changing nature of the proposed LED displays. I acknowledge that digital images would be brighter than those of the existing advertisements, and would change at regular intervals. However, the level of illumination could be regulated by condition and similarly, the speed with which the advertisements change and the prevention of video or moving images could also be controlled by condition. Consequently, whilst the advertisements would appear more modern and may draw the eye more than the existing, given the character and appearance of the area, they would not appear intrusive or out of place”.

Similarly, the appeal inspector for 850 Stockport Road, which is within a commercial context and surroundings, refers to the guidance within the PPG which states that

“in considering the effect on amenity of a proposed advertisement, a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area

of a major city where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site". The Inspector concludes: "It is in the later context which I find the appeal site...the fact that the proposal would replace an existing sign of the same size, I do not consider that it would appear incongruous or dominant in the street-scene".

Whilst of course the Inspector should determine the appeal scheme on its own merits, there are several important elements of these judgements:

- As with the advertising site adjacent railway bridge, Oldham Road, the appeal site should be considered to be located 'within an area comprising a mix of commercial and industrial uses' where the 'the busy character of the main road and the number of advertisements in the vicinity contribute strongly to the appearance of the area';
- As with the advertising site at 850 Stockport Road, the appeal site replaces an existing sign of the same size and is within a commercial and industrial area of a city which the PPG advises advertisement proposals should be permitted; and
- In both judgements, the appeal was allowed subject to a condition permitting a minimum change over time of 10 seconds between advertisements which is a standard condition applied to digital advertisement permissions.

The proximity of other advertisements of similar fashion, including opposite at Hulme Hall Lane (124354/AOH/2019, decision notice included at Appendix 6), confirms that the appeal scheme would not introduce an *"over-dominant and obtrusive feature"* feature to the street scene of this area – as opposed to the judgement given by the Council in their reason for refusal. Instead, the appeal scheme is in a location where uses of such nature are evident and preferably acceptable. In this regard, it works to enhance the character of the surrounding area.

Whilst the appeal site is proposed to provide a digital board (and therefore be internally illuminated), given the fact it replaces the existing paper and paste on a like-for-like basis would not result in amenity concerns, it is considered that the appeal scheme would not be obtrusive. As the existing display has been had been in situ for over ten years without any action taken to remove it, this provides a clear indication that the display proposed is appropriate to its location and function.

In terms of illumination, 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. Please note that the guidance distinguishes between daytime and night time illuminance, with a limit of 5,000cd/m² applied during the daytime. 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, as there is no commercial imperative to providing an overbright display.

In regard of the strategic objectives of Policy SP1, we have already stated that digital boards dramatically reduce the number of vehicle trips in the area to repost boards and reduce waste from the production process associated with paper and paste posters and subsequent discarding to landfill. This will ultimately work to reduce emissions and the need to travel. It will also reuse an existing site.

Policy EN1 of the Core Strategy and Policy E3.3 of the UDP both seek to enhance the overall image of the major radial and orbital routes. In their reason for refusal, the Council consider the appeal scheme is over-dominant and obtrusive in the street scene, overwhelming to pedestrians and presenting a poor visual relationship to the buildings behind, to the detriment of the visual amenity of the area and of the key radial route. The council also state that the proposal would further emphasise the proliferation of hoarding displays in this location.

This section of Oldham Road (A62) is long and straight, providing direct access into and around Manchester City Centre. There is very limited residential accommodation in the area and it is not considered that any residential occupiers would be impacted by the proposals as there is no direct vision to the site from residential dwellings. The industrial and commercial nature of this area means the appeal scheme and the operation of the digital advertisement is not detrimental to the street scene of Oldham Road. As mentioned, advertising displays are a common feature within this area. However, this is part of a project to modernise and upgrade the existing stock of paper and paste billboards into the 21st century and consolidate and reduce the number of advertising displays across the network. The proposal would therefore not emphasise the proliferation of hoarding displays in this location as stated in the reason for refusal but would allow for a reduction in the number of displays.

The appeal scheme replaces the existing paper and paste on a like-for-like basis, therefore the visual relationship to the buildings behind would not change. The appeal site has supported a display for a cumulative period of over 13 years without any action being taken to remove it. This provides a good indication that a display of the size proposed can comfortably assimilate into the street scene. It is not considered that the size of the display is materially significant in the context of the scale of the surrounding built environment. The proposed format and orientation fit in with the scale and size of the buildings to the rear of the appeal site and will not encroach on, or exceed, the ridge height of surrounding buildings.

The impact on pedestrians would be minimal as the site does not overhang a public footpath. The approximate distance between the appeal scheme and the public footpath is 15m. Large format advertising is a common sight in city centre locations; therefore, pedestrians are used to seeing such displays along with an abundance of fascia advertising and adverts on bus shelters and other structures.

To conclude, our points above demonstrate the appeal scheme is of appropriate size, location, design, appearance, elevated position, and contains an appropriate means of illumination and method of display that will ultimately be controlled by condition. Given the nature of the area and the number of advertising displays within the locality, it would not be an unduly incongruous feature within the street scene at this point – which is overwhelmingly industrial and commercial. By way of its replacement of the existing paper and paste board with

no subsequent impact to the amenity of surrounding occupiers, the appeal scheme would have a positive impact (or at the very least a neutral impact) on the host site and visual amenity of the surrounding area.

Accordingly, the Appeal Scheme complies with Policies EN1 and DM1 of the Manchester Core Strategy and the Saved Policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.

SUMMARY AND CONCLUSION

In accordance with the NPPF, advertisements should only be controlled where they are harmful to amenity or public safety.

The Council refused the application on the grounds of amenity. However, it is considered that the above demonstrates that the application was not fully considered on its merits and positive aspects of the scheme were not taken into consideration in the determination of the application.

The appeal site is an established location for advertising, having supported the display for a cumulative period of over 13 years without any enforcement or discontinuance action being brought against it, clearly indicating that the display is set within the built environment and is not causing harm to the wider street scene or amenity of neighbouring uses. The existing advert must therefore be a material consideration as it sets a baseline for what is acceptable.

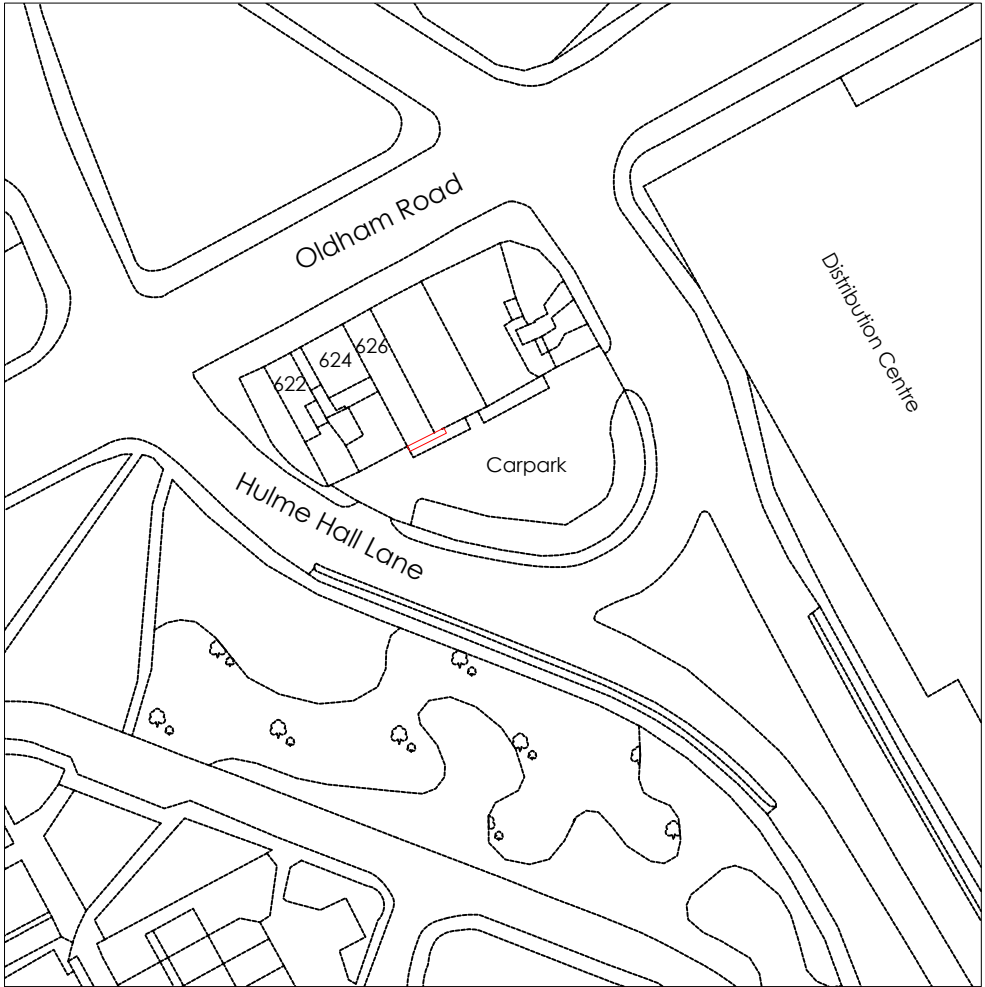
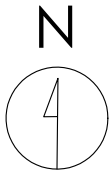
The appeal scheme seeks to upgrade an existing advertising site to a modern, digital format which can be controlled by light sensors to vary the brightness of the screens according to the brightness of the day.

The proposed digital display will also result in a significant number of social, economic and environmental benefits through the reduction in CO2 emissions and waste, the use of sustainable energy, the opportunities to advertise charitable campaigns, public art and emergency messages, the increase in business rates, and reduction in visual clutter on a site specific and strategic level.

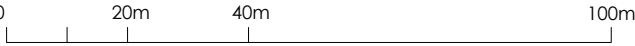
The Council's specific reasons for refusal have been taken into consideration and it is considered that the above demonstrates that this simple upgrade to a digital format would have a positive impact (or at the very least a neutral impact) on the host site and visual amenity and character of the area. It is considered that the Council's explanation for the refusal of advertisement consent is not justified based on the site circumstances (i.e. its established location, its compatibility with the surrounding industrial and commercial uses, as well as the presence and acceptability of advertisements in the surrounding area) and is entirely subjective.

For the reasons given above, it is strongly considered that this appeal should be allowed.

APPENDIX 1 (APPLICATION SUBMISSION DOCUMENTS)



Crown copyright and database rights (2021) OS (100063368)



Title
Site Location Plan

Address
Hulme Hall Lane, Rear Of 628 Oldham Road, Manchester, M40 8BA

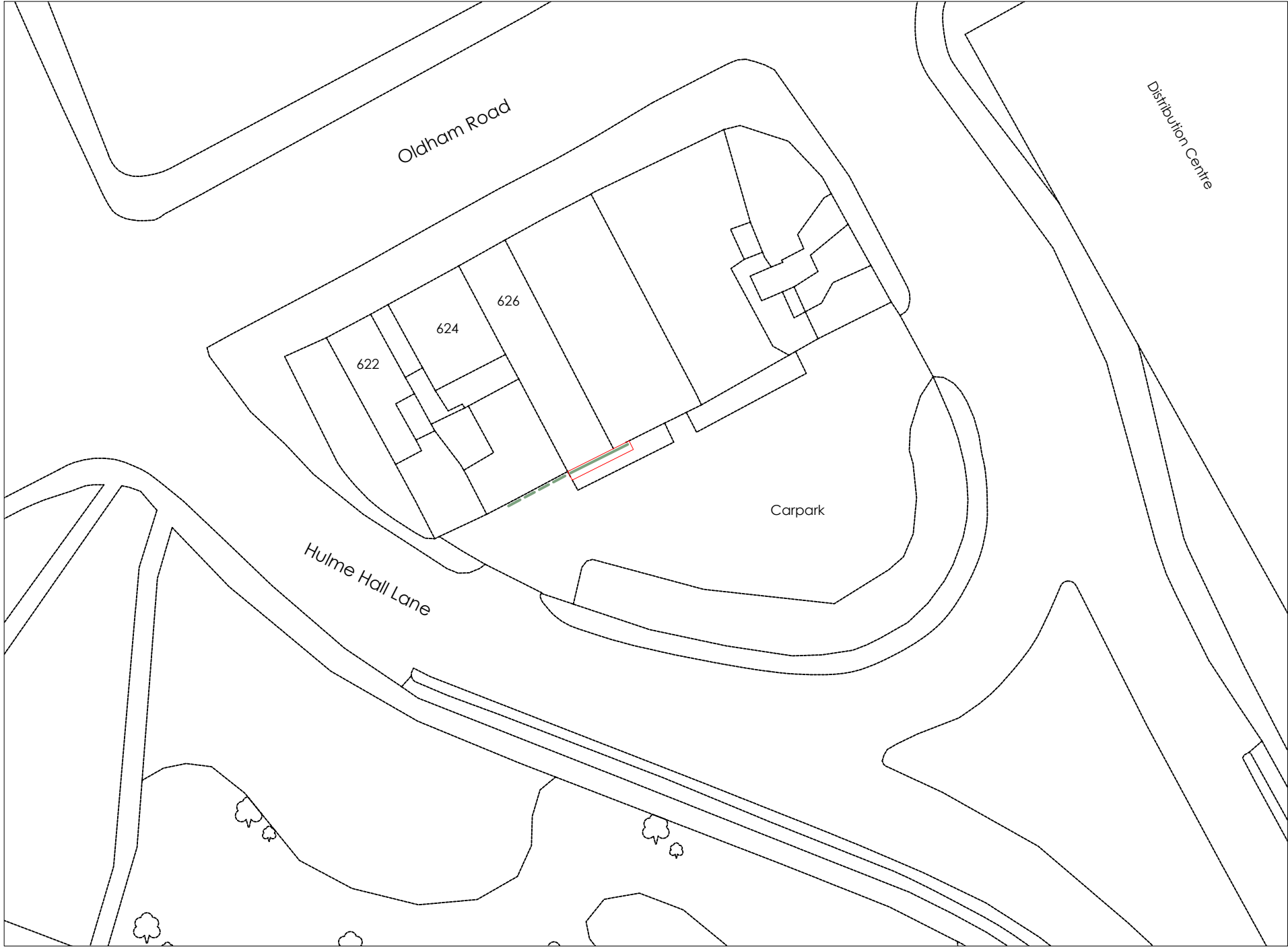
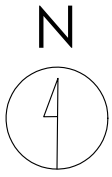
Client

Job No.	Issued
011-0203-6659	13/01/22

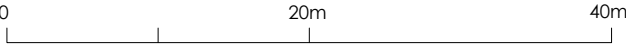
Scale
1:1250 @ A3

Key
1. Site Boundary

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.



Crown copyright and database rights (2021) OS (100063368)



Title
Existing Site Plan

Address
Hulme Hall Lane, Rear Of 628 Oldham
Road, Manchester, M40 8BA

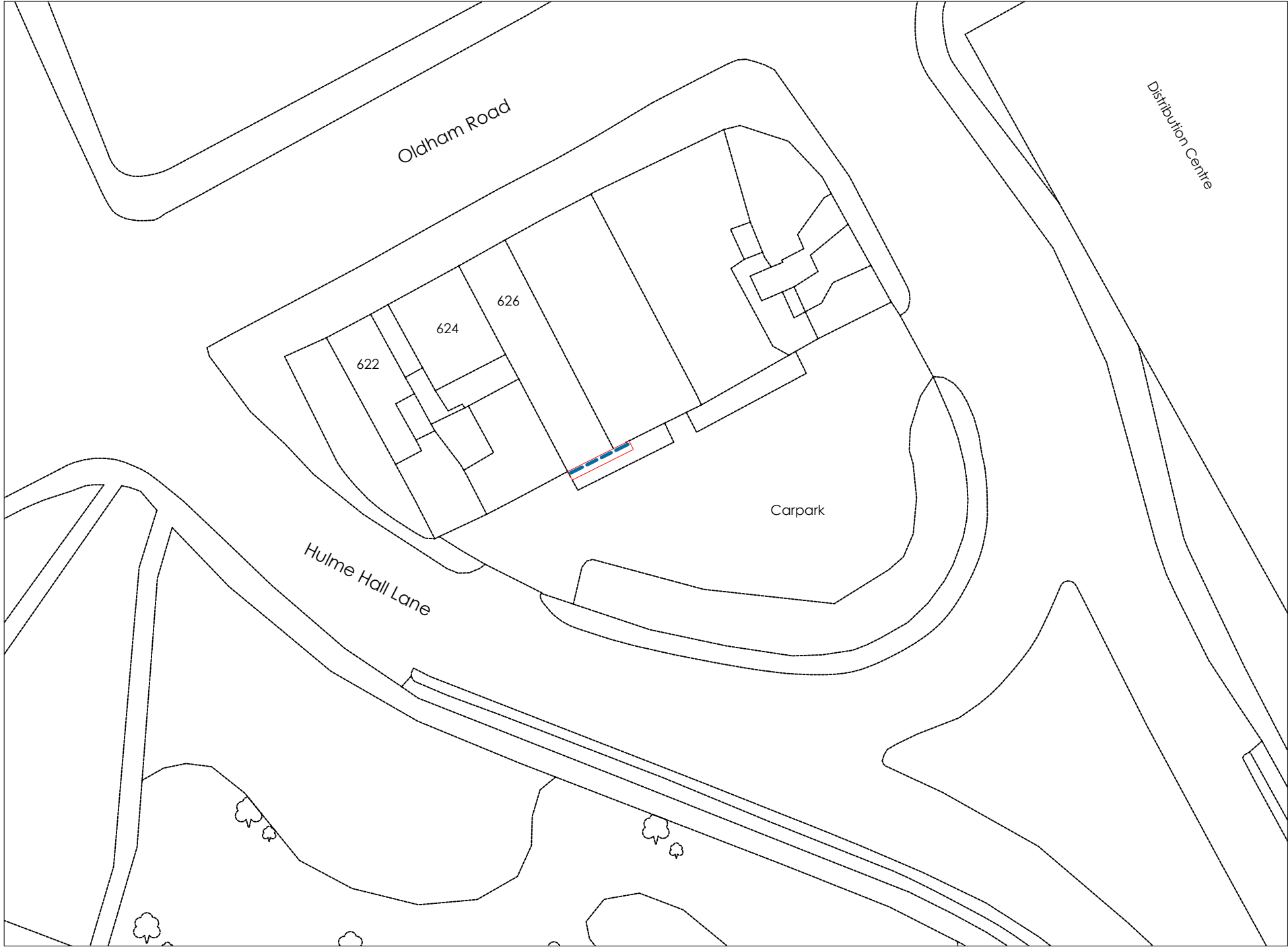
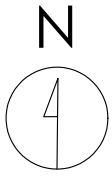
Client

Job No. 011-0203-6659
Issued 13/01/22

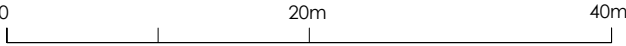
Scale
1:500 @ A3

- Key**
- 1. Site Boundary
 - 2. Existing Advertising to be Removed
 - 3. Former Advertising Panel Removed

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.



Crown copyright and database rights (2021) OS (100063368)



Title
Proposed Site Plan

Address
Hulme Hall Lane, Rear Of 628 Oldham
Road, Manchester, M40 8BA

Client

Job No. 011-0203-6659
Issued 13/01/22

Scale
1:500 @ A3

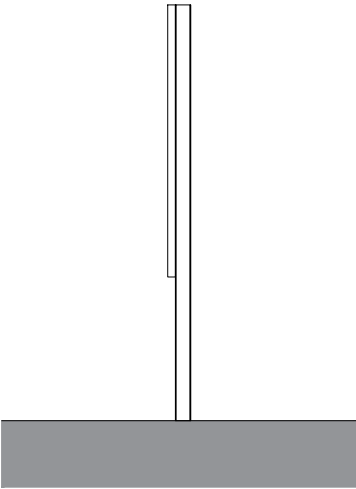
Key

1.	Site Boundary
2.	Proposed Media Screen

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.

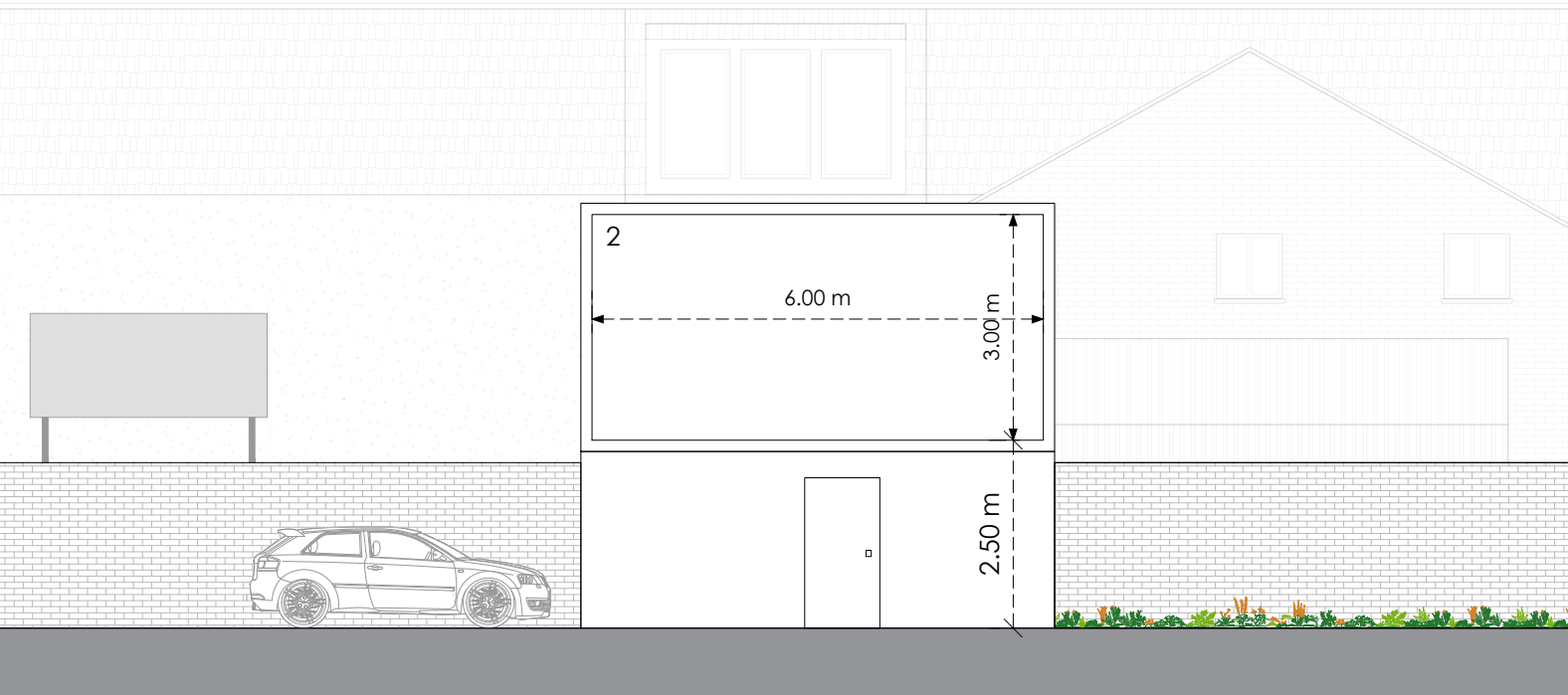


Front

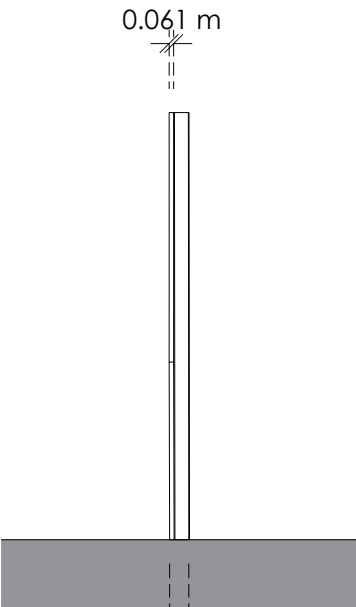


Side

Existing



Front



Side

Proposed

0 4m 8m

Title
Existing and Proposed Elevations

Address
Hulme Hall Lane, Rear Of 628 Oldham
Road, Manchester, M40 8BA

Client

Job No.
011-0203-6659

Issued
13/01/22

Scale
1:100 @ A3

- Key**
- 1. Existing Advertising Board
 - 2. Proposed Media Screen
 - 3. Advertising Panel Removed

All information is to be checked on site for accuracy and fit. Only drawings with WD status with the most recent revision are to be used for construction.

One Chapel Place
London
W1G 0BG

T: 020 7518 3200
F: 020 7408 9238

Your ref:
Our ref:

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

Wednesday, 26 January 2022

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 HULME HALL LANE, REAR OF 628 OLDHAM ROAD, MANCHESTER, M40 8BA

Carter Jonas have been instructed to submit an application for advertisement consent to upgrade a poster and paste billboard forming part of Clear Channel's network to a modern digital poster format capable of being posted from a central location without the need to visit each site individually.

This is part of a wider project to modernise Clear Channel's network utilising new display technology that is lightweight and can be erected with limited additional engineering, as the digital poster weighs little more than the paper and paste poster it will replace. The quality of the image produced will mimic that of a traditional poster, with the overall aim of the project being to replace like for like with no adverse impact on visual amenity.

The Proposal

The proposal seeks to "repost" the existing display at Hulme Hall Lane to the rear of 628 Oldham Road with a "D-poster" which will display multiple static advertisements on rotation.

The proposals allow the existing advertising network to be better managed, monitored and maintained, to 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;
- Consolidation and overall reduction in the number of billboards in the network;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- Ability to broadcast emergency 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 any faults back to the NOC and a kill switch will turn the content to black until it can be resolved.

In most instances the re-posting of a D-Poster can be achieved at a similar speed to traditional posting, with minimal structural work and the existing 150mm frames repaired or replaced and painted black.

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.

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 on the A6010, and currently supports one externally illuminated 48-sheet paper and paste free standing billboard. The site is located between the carriageway of the A6010 and the A62 and the surrounding buildings are predominantly industrial in character.

The proposal site is an established location for advertising, having supported the advertisement display for at least 10 years since at least July 2008. As the size and nature of the advertisement has not altered in over ten years the signage benefits from deemed consent under Class 13(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Hulme Hall Lane (A6010) and Oldham Road (A62) are main routes leading traffic both into and around Manchester City Centre. There is established advertisement precedent in the surrounding area. This includes a digital display located approximately 35m from the proposed digital display which was granted permission in September 2019 (planning reference number: 124354/AOH/2019).

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

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 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.

Planning Considerations

The proposal will not cumulatively increase the number of adverts in the area and overall the project will see a reduction in the number of advertising sites. The like for like replacement of the display and the control over operation seeks to ensure that the change in the visual impact of the site on the surroundings is de minimus and not material. Nevertheless, it is acknowledged by the applicant that the change in the type of illumination and the potential to increase the rate of change of the adverts would require express advertisement consent. The impact of these alterations have been considered in amenity and public safety terms as follows:

Amenity

As the proposal seeks to "repost" the existing advert and therefore mimic the existing situation, there will be minimal impact on visual amenity during the daytime. The size and positioning of the advertisement will remain the same and the level of illumination will be set to ensure that the proposed advertisement is not materially different from the existing position. The side by side comparison photograph on the D-Poster information sheet provided with the planning drawings helps to illustrate the minimal difference between the existing type of display and the proposed replacement once controls are put in place. At night time the method of illumination at the site represents a material change to the existing advert. The controls proposed over the level of luminance will ensure that this material change does not cause material harm to amenity. The context of the surroundings, including illuminated shop signage, other illuminated adverts and street lighting 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 and we would welcome a discussion with the Council on this point if it is considered necessary.

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 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 display, ensuring site lines and visibility splays are maintained. The proposed, single display would only be seen by traffic travelling north along the A6010 which is well lit, straight, level and has excellent forward visibility. Highway users would therefore be fully capable of viewing content far in advance of the site without being distracted

from the road or traffic conditions ahead. As such, drivers would be entirely capable of viewing advertisements whilst maintaining stopping distances and an awareness of surrounding traffic movements.

Under these circumstances, the proposal 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

This application is part of a project to bring Clear Channel's stock of poster and paste billboards into the 21st century.

The proposal will not change the size, position or orientation of the advert. As such the established acceptability of the advertisement should not change materially 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
 - 011-0203-6659 Site Location Plan
 - 011-0203-6659 Existing Site Plan
 - 011-0203-6659 Proposed Site Plan
 - 011-0203-6659 Existing and Proposed Elevations

We will arrange payment via the Planning Portal for the sum of £462.00 (plus £28 service charge including VAT) to cover the cost of the Advertisement Consent application.

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,



Hannah Wallis

Graduate Planner

E: hannah.wallis@carterjonas.co.uk
T: 020 3940 9469 x3638
M: 07341 042260

Application for consent to display an advertisement(s).

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

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Site Address

Number	
Suffix	
Property name	
Address line 1	
Address line 2	
Address line 3	
Town/city	
Postcode	
Description of site location must be completed if postcode is not known:	
Easting (x)	386117
Northing (y)	399888
Description	To the rear of 628 Oldham Road, M40 8BA

2. Applicant Details

Title	
First name	
Surname	
Company name	Wildstone Group
Address line 1	Barton Hall
Address line 2	29 Gloucester Street
Address line 3	
Town/city	Cirencester

2. Applicant Details

Country

Postcode

GL7 2DJ

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Primary number

07341042260

Secondary number

Fax number

Email address

hannah.wallis@carterjonas.co.uk

3. Type of Proposed Advertisement(s)

Please describe the proposed advertisement(s)

Upgrading of existing 48 sheet advert to support digital poster

Please select the type(s) of advertising you are proposing:

☐ Fascia sign(s)

☐ Projecting or hanging sign(s)

☒ Hoarding(s)

☐ Other type(s)

Please add details of each proposed hoarding

Hoarding(s): 1	
What is the height from the ground to the base of the advertisement?	2.5 metre(s)
What is the maximum projection of the advertisement from face of building?	0.061 metre(s)
Dimension:	Height: 3 x Width: 6 x Depth: 0.061 metre(s)
What materials will the sign be made of? Lightweight digital LED panels	
What is the maximum height of any of the individual letters and symbols?	300 cm
The colour of text and background Multicoloured	
Will the sign be illuminated?	Yes
Will the sign be illuminated internally or externally?	Internally Illuminated
Illuminance levels	300 cd/m2
Will the illumination be static or intermittent?	Static

4. Location of Advertisement(s)

Is the advertisement(s) you are applying for already in place?

☐ Yes ☒ No

Is an existing advertisement(s) to be removed and replaced by the advertisement(s) in this proposal?

☒ Yes ☐ No ☐ Not Applicable

If Yes to either or both the questions above, please show the existing sign(s) on an elevation drawing or photograph which can be uploaded to the Supporting Documents section of this application. Please state the references or filenames of the drawing(s) or photograph(s) in this text box

(See existing plans and elevations)

4. Location of Advertisement(s)

Will the proposed advertisement(s) project over a footpath or other public highway?

☐ Yes ☒ No

5. Advertisement(s) Period

Please state the period of time for which consent is sought for the advertisement

From

28/03/2022

To

28/03/2027

6. Neighbour and Community Consultation

Have you consulted your neighbours or the local community about the proposal?

☐ Yes ☒ No

7. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
☐ The applicant
☐ Other person

8. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

9. Interest In the Land

Does the applicant own the land or buildings where the adverts are to be placed?

☐ Yes ☒ No

If No, has the permission of the owner or any other person entitled to give permission for the display of an advertisement been obtained?

☒ Yes ☐ No

10. Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

☐ Yes ☒ No

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

APPENDIX 2 (CORRESPONDENCE BETWEEN AGENT AND CASE OFFICER)

Wallis, Hannah

From: Wallis, Hannah
Sent: Tuesday, 05 April 2022 11:36
To: janine.renshaw-livesey@manchester.gov.uk
Subject: 133126/AO/2022

Dear Janine,

I hope you are well.

I am writing to request an update on the application I made at 628 Oldham Road, M40 8BA.

Please let me know if you require any further information.

Kind Regards,

Hannah

**APPENDIX 3 (CASE OFFICERS DELEGATED REPORT AND
DECISION NOTICE)**

Growth & Development

Delegated officer report for planning application

Application no.	133126/AOH/2022
Date registered valid:	10 March 2022
Proposal:	Installation of 48 sheet digital display sign
Address:	Land To The Rear Of 628 Oldham Road, Manchester, M40 8BA
Ward(s):	Miles Platting & Newton Heath Ward
Applicant:	Wildstone Group Barton Hall, 29 Gloucester Street, Cirencester, GL7 2DJ
Agent (if any):	Miss Hannah Wallis Carter Jonas 1 Chapel Place, London, W1G 0BG
Case officer:	Janine Tel: 0161 234 4555 Email: janine.renshaw-livesey@manchester.gov.uk
Recommendation:	Refuse
Date of recommendation:	4 May 2022

Application details

Type of application: Advertisement Hoardings Consent

Development type: Advertisements

Date of site visit:

Standard consultations:

Printed: 11 March 2022 Expired: 1 April 2022

Neighbour notifications

Printed: 11 March 2022 Expired: 1 April 2022

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Listed building: Not applicable

Conservation area: No

Tree Preservation Order: No

The site, that is subject of this application, is located approximately 2 kilometres to the north-east of Manchester city centre, in the Miles Platting area of Manchester. The proposal would be sited on the rear boundary wall of no 628 Oldham Road, a terrace of shop. The site is cut off by major roads, namely Oldham Road and Hulme Hall Lane, identified in the UDP as key radial and orbital routes.

The Proposal

The application seeks consent for the installation of a 1 x 48 sheet advertisement sign. The technology within the sign allows changing advertisement content, which for the purpose of this report will be referred to sequential displays. The sequential display would appear for a period and the transition to the next photograph can be either set to be instantaneous or gradual.

The sign would measure 3m height x 6m length and 61mm thickness and would be 2.5 metres from the height of the ground. The proposed sign would be attached the rear boundary wall of a two-storey property of a building which lies within a row of a parade of 5 commercial shops.

The Setting

The sign would appear within the street scene when travelling in a westerly direction along Hulme Hall Road and would also be visible to the left hand side of the street scene when

approaching the traffic lights at the junction of Oldham Road, Hulme Hall Road and Queens Road.

There are several large advertisement hoardings in close proximity to the application site including 2 x96 sheet, free standing and one on the side gable of the end property facing Hulme Hall Road. All of which can be seen in conjunction with the application site when viewed at several vantage points within the vicinity. The proposed advertisement display over sails the height of the wall by 3 metres.

Consultations & Notification Responses

Local residents were consulted and no representations were received.

Highways were consulted and raised no objection to the proposal given that the luminance of the digital media display is proposed as 300cd/m². This level of luminance is below the MCC recommended maximum of 600cd/m², therefore we accept the proposed luminance. However, recommended a condition relating to the illumination and sequential images.

Environmental Health were consulted and raised no objection to the proposal.

Issues

The proposal would therefore have an unacceptable and detrimental impact on the amenity of the area contrary to Government Guidance contained in Section 7 (Requiring Good Design) of the National Planning Policy Framework, and the saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), and E3.3 (Environmental Improvements and Protection) of the Unitary Development Plan for Manchester, and EN1 (Design Principles and Strategic Character Areas), SP1 (Spatial Principles), and DM1 (Development Management) of the Core Strategy for the City of Manchester.

ISSUES

Policy

In considering the impact of the application on visual amenity, regard was had to the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, The Adopted Core Strategy for the City of Manchester, The Guide to Development SPD and the saved policies of the Unitary Development Plan for the City of Manchester. The relevant policies are as follows:

National Planning Policy Framework - This Framework came into effect on 27th March 2012 and was amended and updated in July 2018 and 2021. It sets out the government's planning policies for England and how these are expected to be applied. It defines the government's requirements for the planning system 'only to the extent that it is relevant, proportionate and necessary to do so'. It provides a mechanism through which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities'.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The statutory status of the development plan remains as the starting point for decision making. However, paragraph 11 states that 'at the heart of the Framework is a presumption in favour of sustainable development' and, in 'decision-taking', this means that development proposals should accord with the development plan should be approved without delay unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

National Policy Framework has been related to the proposed development, with particular emphasis given to the following:

Core planning principles - Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan making and decision-taking with the following specific policies being particularly relevant to the proposed development:

Chapter 12 Achieving well-designed places

Paragraph 124 states that in 'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.' It further states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.'

Paragraph 132 states that the quality and character of places can suffer when advertisements are poorly sited and designed. It acknowledges that a separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Significantly, chapter 12 states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. In this case, it is not considered that the development would positively contribute to the street scene and would harmfully affect the visual amenity of the area. It is considered that the nature of the signage would materially and harmfully change the relationship of the advertisement hoarding to the street scene. The incorporation of changing images within the display would also give the signage far greater prominence and would be a visually obtrusive addition to the location. It is therefore considered that the proposals would not accord with the NPPF.

Government Guidance on advertisements within the NPPG Paragraph 026 advises that advertisements should be controlled only in the interests of amenity and public safety, taking into account the provisions of the development plan so far as they are material and any other relevant factors.

Government Guidance on advertisements within the NPPG Paragraph 079 advises that in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features. This might mean that a large poster-hoarding would be refused where it would dominate a group of listed buildings.

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 state within Part 1 Regulation 3 that factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Policy EN1 (Design Principles and Strategic Character Areas) of the Core Strategy seeks to enhance the overall image of the City Centre by requiring good designs and high quality development alongside major orbital road routes.

Policy DM1 (Development Management) of the Core Strategy states that all development should have regard to appropriate siting, layout, scale, form, massing, materials and detail and the effects on amenity and the character of the surrounding area.

Policy SP1 (Spatial Principles) of the Core Strategy states that development in all parts of the City should make a positive contribution to neighbourhoods of choice including creating well designed places that enhance or create character and protecting and enhancing the built and natural environment.

Saved Policy E3.3 (Environmental Improvement and Protection) of the Unitary Development Plan (UDP) seeks to enhance the visual amenity of prominent access corridors and to achieve high standards of development and environmental treatment on sites adjoining orbital routes around the City Centre.

The proposed digital advertising screen is considered to be contrary to the above national and local policies for the following reasons:

The proposed digital advertising screen would be overlarge and would be overbearing when viewed in the context within the street scene and would be a dominant feature appearing incongruous. Furthermore, the proposals would be over large, over dominant and visually obtrusive and would have a detrimental impact on the architecture of the host building, as it would have a poor relationship with the rear elevation of the host building as it would cover a large area of the brick and comply shroud the elevation. The sign would be larger than any architectural feature of the building and along with the other hoardings within the vicinity in particular the other advisements signs and hoardings situated along the parade off terraces would result in a unacceptable level of proliferation of adverts.

There is no sign currently in situ at the site. There appears to have been a sign previously at the site but this had never benefitted from planning permission. None of the signs currently on the rear elevation of the parade of shop have been granted advert consent previously. Furthermore, the application to further enhance the visual presence of the hoarding by the means of changing images would be considered to have a detrimental impact within the area when viewed from within the street scene.

The digital advertising screen is proposed in a highly prominent location at the junction of the Orbital Inner Relief Route and a radial entry route. The proposal would be overlarge and visually obtrusive with the advertisement not only being far larger than any other features of the surrounding buildings, would contribute to the proliferation of advertisements in the area.

The proposal would be an inappropriate type of development on a prominent site and would not improve the appearance of the site or the image of the City having inappropriate siting, scale, form, materials and detail.

Furthermore, the application to further enhance the visual presence of the hoarding by the means of changing images would be considered to have a detrimental impact within the area when viewed from within the street scene.

Given this, the overall visual effect of the advertisement would be one of detriment to visual amenity in the locality and the proposals would be contrary to Part 1, Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the above identified policies of the NPPF, NPPG, The Core Strategy for the City of Manchester, The Guide to Development SPD and the saved policies of the UDP.

In considering the application, regard was also had to the detailed guidance within saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters) of the Unitary Development Plan for the City of Manchester, which give specific guidance and set out City Council policy in relation to advertisements, hoardings and posters. The primary issue addressed by this policy is that of visual amenity. The guidance is set out below:

- (i) The general location of the proposed advertisements and the effect on visual amenity;
 - (ii) The scope for posters and hoardings to make a positive contribution to the locality;
 - (iii) The design of the structures and the relationship with any premises on which they are located;
 - (iv) The use of the hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;
 - (v) The use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;
 - (vi) The use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development;
 - (vii) The scale of the advertisement in relation to the surrounding locality and the site on which it would stand;
 - (viii) Whether the advertisement would be obtrusive and intrude into an area of high amenity value or into residential neighbourhoods;
 - (ix) The effect of the proposal on the permanent redevelopment of the land;
 - (x) The ease within which the structure is capable of being maintained;
 - (xi) Whether the development would harm the character or architectural features of a building nor interfere with its proper use;
 - (xii) The number of advertisements in the locality and their cumulative impact on visual amenity.
- In relation to this, and using the above numbering, the following comments are made:

Points (i), (ii), (vii), (viii) and (xi) - The general location of the digital advertising screen effect on visual amenity would be unacceptable as it would not make a positive contribution to visual amenity within the locality, as it would have an incongruous appearance due to the proposed size, location, appearance and design. The screen would be out of scale with the smaller scale features of the surrounding buildings and the proposals would not be in keeping with the features, materials and colours of the surrounding environment and would constitute an intrusion into an area of relatively high amenity value.

Point (iii) and (vii) - The screen is out of scale with the features of the host building. Therefore, the proposal is considered to affect the character and architectural features of the building in which it would sit. The display screen would cover the rear elevation of the property hindering views into the site.

Points (iv), (v) and (vi) - Development is not currently taking place on the site and the proposal would not be screening a vacant site, unsightly features or a site during development. It is also not required to prevent access to a site undergoing development.

Points (i), (ii), (iii) and (vii) - It is considered that, by virtue of its siting, size, location, design and appearance, the advertisement would not relate properly to the site on which it would stand through the overlarge size of the advertisement. The main advertisement would also be much larger than the existing features of surrounding buildings. The proposal would also represent an obtrusive feature on a major radial entry route out and across the City Centre due to its size, location, appearance and design.

Point (xii) - The proposed advertisement would exacerbate advertisements within the area. There are a large number of large scale advertisements in a small area and this proposal is considered to exacerbate advertisement clutter. No signage to the rear elevation of the

boundary wall of the commercial parade have ever been authorised and it is considered that the positioning of the proposed sign creates a poor aesthetic and is at odds with the surroundings.

Given the above, the advertising screen is considered to be inconsistent with saved policies DC15.1 and 15.2. In summary, it can be seen that the application proposal is not consistent with the above local and national policies and guidance, and would have a detrimental impact on visual amenity for the following reasons and based on all information within the issues section of this report:

The examples below are most recent dismissed appeal decisions. The examples are similar to the advertisement application proposed.

Appeal Ref:

APP/B4215/Z/19/3238 92

Dismissed 21 November 2019

124060/AOH/2019- 133A, Cheetham Hill Road Manchester, M8 8LY

Paragraph 8 'As Cheetham Hill Road has many retail and commercial premises along it, advertisements are an expected feature of the street scene, some of which would be illuminated. Even so, I observed that existing advertisements are generally smaller and set a lower level than the proposal. As such, they would have a less harmful impact on the visual amenity of the local area than would be the case with the appeal scheme. While I saw some advertisements on gable walls of existing buildings, none were directly comparable with the proposal before me in terms of design, size, illumination and prominence within the local street scene'

Appeal Ref: 3248230 - Appeal Dismissed 15 June 20

125208/AOH/2019 - 661 Stockport Road, Manchester

Advertisement Consent for the replacement of the existing externally illuminated 48 sheet poster advert with a internally illuminated 48 sheet LED digital advertisement REFUSED

3/2/20 - Visual Amenity

Paragraphs 6, 7 and 10 of the Planning Inspector's decision states the following:-

Paragraph 6 "The scale and positioning of the proposal would be similar to the existing poster advertisement, however it would vary significantly as it would display digital images. Whilst the images would be static, they would change on a sequential rotation. Although the rate of change would be no more than once every ten seconds, the images would nevertheless be significantly sharper than those currently displayed. All these factors would cause the proposal to be more apparent and overly dominant in the street scene than the existing advertisement."

Paragraph 7 "...Therefore, due to its elevated position, scale and method of display, the proposed advertisement would be highly prominent in the locality. It would be a visually incongruous and overly dominant addition to the street scene and would erode the character of the area..."

Paragraph 10 "...the proposal would result in unacceptable harm to the visual amenity of the area..."

The Planning Inspector clearly has identified issues in relation to the digital images, changing on a sequential rotation within the character of the street scene and existing advertisement.

The Inspector has also recognised that the proposed advertisement would be highly prominent within the street scene and erode the character of the area and furthermore

Previous Scheme at the Site

A previous application submitted at the same site for a sequential LED screen was similar in dimension and included changing images, was refused by the planning inspectorate and the details of the decision are outlined below.

The planning inspector upheld the council's decision to refuse the application on visual amenity grounds including the over proliferation of advertisements in the same vicinity which contributed to a scene of clutter. The inspector's decision is outlined below.

Appeal Decision

Decision date: 18th February 2019

Appeal Ref: APP/B4215/Z/18/3211404

622 Oldham Road, Manchester, M40 8BA

o The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.

o The appeal is made by Mr Alan Mottershead against the decision of Manchester City Council.

o The application Ref 120128/AOH/2018, dated 24 May 2018, was refused by notice dated 19 July 2018.

o The advertisement proposed is a 1 x 48 sheet LED screen with changeable content.

Decision

1. The appeal is dismissed.

Procedural Matters

2. There is already an existing illuminated advertisement hoarding of the same size and in the same position as the proposal the subject of this appeal. The proposal would differ from the existing advertisement in that it would have an LED screen and changing content. The existing advertisement was approved by the Council in 20101.

Main Issue

3. The main issue in this case is the effect of the advertisement on visual amenity.

Reasons

4. The appeal property is a two storey end of terrace building. The proposed advertisement would replace a large existing advertisement located on the gable wall of the property.

5. Number 622 Oldham Road is located at a busy junction, where Oldham Road and Hulme Hall Lane meet. The proposed advertisement faces towards Manchester city centre and would thus be visible as one travels along Oldham Road away from Manchester, as well as from Hulme Hall Lane, which passes directly past the side of No 622.

6. During my site visit, I observed a large number of advertisements in the area around the appeal property. These vary in size and type, from smaller signs associated with commercial premises, to large hoardings, including the one which the proposed development would replace.

1 Ref: 095090/AOH/2010/N1.

Appeal Decision APP/B4215/Z/18/3211404

2

7. Whilst to some considerable degree, the presence of advertisements reflects the mixed use nature of this part of Miles Platting, I also noted during my site visit that, as one travels along Oldham Road, away from Manchester city centre, the static nature of advertisements - ie, the absence of changes every few seconds - means that they do not draw undue attention. The existing advertisement to the side gable of No 622 is very large, but it does not have changing content and does not necessarily draw the eye.

8. In this way, whilst there is some degree of clutter arising from the presence of numerous advertisements, it is not "over-powering" and is not to the significant detriment of the area.

9. By way of contrast, I find that the proposed advertisement would, as a result of its LED screen and changing content, inevitably draw the eye to a much greater degree than the existing sign. I find that this, when combined with the large size of the advertisement proposed, which would fill a very large part of No 622's side gable, would lead the advertisement to appear as a visually intrusive and unduly dominant feature.

10. Further to the above, the proposal would, in drawing undue attention to itself, also serve to emphasise the presence of the many other advertisements within the area. I consider that this would have the effect of "tipping the balance," such that it would lead to an overwhelming sense of advertising clutter.

11. Taking this and all of the above into account, I find that the advertisement would be detrimental to visual amenity, contrary to the Framework and to the Council's UDP2 saved policies DC15.1, DC15.2 and E3.3, and to the Council's Core Strategy3 policies EN1, SP1 and DM1, which together amongst other things, seek to protect local character.

Other Matters

12. In its reasons for refusal, the Council stated that the proposal would harm the amenity of residents of Alburn Court, a block of flats in the area. However, the proposed advertisement would be some considerable distance away from the nearest flats, across a busy road and separated by a large, landscaped public open space. Further, a group of mature deciduous trees on the open space would, even during winter time, partly obscure views between the flats and the proposal, with levels of obscurity increasing when the trees are in leaf.

13. In addition to the above, I observed during my side visit that Alburn Court is largely positioned "side on" to No 622 Oldham Road, such that the only apparent views to the proposal from the inside of flats would be at an oblique angle. Taking this and the above into account, I find that the proposal would not have a detrimental effect on the visual amenity of the occupiers of residential accommodation. However, this is not a factor that mitigates against the findings, in respect of detriment to visual amenity, set out above.

14. The appellant considers that the Council has "an established record of refusing consent for advertisements on private land whilst granting approval for advertisements on City owned property." Whether or not this is the case, I have found that the proposal would be detrimental to visual amenity and hence my decision below.

2 Unitary Development Plan for the City of Manchester (1995).

3 Core Strategy Development Plan Document (2012).

Conclusion

It is the Council's view that the digital advertising unit subject of this application would constitute an over dominant feature and would be detrimental to visual amenity

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved policies of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation:

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be contrary to the development plan and therefore determined in a timely manner.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) The proposed internally illuminated sequential LED display would further emphasise the presence of advertising material on this site. By virtue of its size, character and siting, the changeable content the hoarding would be an over-dominant and obtrusive feature within the street scene, overwhelming to pedestrians and presenting a poor visual relationship to the buildings behind, to the detriment of the visual amenity of the area and of the key radial route. The proposed sequential display would further emphasise the proliferation of hoarding displays in this location. The proposal would therefore have an unacceptable and detrimental impact on the amenity of the area contrary to Government Guidance contained in Section 7 (Requiring Good Design) of the National Planning Policy Framework, and the saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), and E3.3 (Environmental Improvements and Protection) of the Unitary Development Plan for Manchester, and EN1 (Design Principles and Strategic Character Areas), SP1 (Spatial Principles), and DM1 (Development Management) of the Core Strategy for the City of Manchester.

Appendix 1 – List of consultees & neighbours notified

Highway Services
Environmental Health

Flat Above, 4 Hulme Hall Lane, Manchester, M40 8AZ
622 Oldham Road, Manchester, M40 8BA
Top Flat, 622 Oldham Road, Manchester, M40 8BA
4 Hulme Hall Lane, Manchester, M40 8AZ
640 - 642 Oldham Road, Manchester, M40 8BA
630 - 632 Oldham Road, Manchester, M40 8BA
624 - 626 Oldham Road, Manchester, M40 8BA
6 Hulme Hall Lane, Manchester, M40 8AZ
2 Hulme Hall Lane, Manchester, M40 8AZ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Aircraft Safeguarding Zone - Aircraft Safeguarding - Not Affected
Coal Authority - Development High Risk - Name: DEVELOPMENT_HIGH_RISK_AREA
Coal Authority - Surface Coal Resources - Name: Coal bearing strata at surface
Area Team Boundary - Name: NORTH1

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

Refusal of Advertisement Consent

Applicant

Wildstone Group
Barton Hall
29 Gloucester Street
Cirencester
GL7 2DJ

Agent (if used)

Miss Hannah Wallis
Carter Jonas
1 Chapel Place
London
W1G 0BG

Part 1 – Particulars of the application/development

Proposal: Installation of 48 sheet digital display sign

Location: Land To The Rear Of 628 Oldham Road, Manchester, M40 8BA

Date of application: 10 March 2022

Application number: 133126/AOH/2022

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **Refused** in accordance with the application and plans submitted for the reason(s) listed below.

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. The proposal is considered to be contrary to the development plan and therefore determined in a timely manner.

Reason(s) for decision

1) The proposed internally illuminated sequential LED display would further emphasise the presence of advertising material on this site. By virtue of its size, character and siting, the changeable content the hoarding would be an over-dominant and obtrusive feature within the street scene, overwhelming to pedestrians and presenting a poor visual relationship to the buildings behind, to the detriment of the visual amenity of the area and of the key radial route. The proposed sequential display would further emphasise the proliferation of hoarding displays in this location. The proposal would therefore have an unacceptable and detrimental impact on the amenity of the area contrary to Government Guidance contained in Section 7 (Requiring Good Design) of

the National Planning Policy Framework, and the saved policies DC15.1 and DC15.2 (Advertisements, Hoardings and Posters), and E3.3 (Environmental Improvements and Protection) of the Unitary Development Plan for Manchester, and EN1 (Design Principles and Strategic Character Areas), SP1 (Spatial Principles), and DM1 (Development Management) of the Core Strategy for the City of Manchester.

Date: 5 May 2022

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This decision refers only to that required under the Town and Country (Control of Advertisements) (England) Regulations 2007 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse consent or approval for the proposed development, or to grant consent or approval subject to conditions, they may appeal to the Secretary of State in accordance with section 78 of the Act as amended by the Regulations within eight weeks of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that can be used to make appeals online. This service is available through the gov.uk website – www.gov.uk/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet. Alternatively If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

**APPENDIX 4 (APPEAL DECISION FOR ADVERTISING SITE
ADJACENT RAILWAY BRIDGE, OLDHAM ROAD, MANCHESTER,
M40 8AG (REF: APP/B4215/Z/20/3259385))**

Appeal Decision

Site visit made on 17 November 2020 by Andreea Spataru BA (Hons) MA

Decision by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 11 February 2021

Appeal Ref: APP/B4215/Z/20/3259385

Advertising site adjacent railway bridge, Oldham Road, Manchester M40 8AG

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the Regulations) against a refusal to grant express consent.
 - The appeal is made by Urban and Provincial Outdoor Advertising Limited against the decision of Manchester City Council.
 - The application Ref 127164/AOH/2020, dated 26 May 2020, was refused by notice dated 3 August 2020.
 - The advertisement proposed is described as "upgrade of 2no. 48-sheet advertising displays to 2no. 48-sheet digital displays and removal 1no. 48-sheet advertising display from site."
-

Decision

1. The appeal is allowed and express consent is granted for the upgrade of 2no. 48-sheet advertising displays to 2no. 48-sheet digital displays and removal 1no. 48-sheet advertising display from site as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations and the following additional conditions:
 - 1) The maximum luminance level of the advertisements displayed on the panel shall not exceed 300 cd/m² during non-daylight hours/inclement weather.
 - 2) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images, or any images that resemble road signs, traffic lights or traffic signs.
 - 3) The advertisement display shall not change more frequently than every 10 seconds and the interval between successive advertisements shall be 0.1 seconds or less.
 - 4) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels, and a mechanism shall be in place to ensure that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal on the visual amenity of the area.

Reasons for the Recommendation

4. The appeal site relates to a piece of land adjacent to a railway bridge. It fronts Oldham Road, which is a main route to and from Manchester city centre. The site is currently occupied by three non-illuminated advertising displays, with the drawings showing that each advertisement display measures 6m in width and 3m in height. There are other large non-illuminated advertisement hoardings within proximity of the site.
5. The site falls within an area comprising a mix of commercial and industrial uses. The busy character of the main road and the number of advertisements in the vicinity contribute strongly to the appearance of the area. The existing advertisements, which appear to have been in place for some time, occupy a prominent position within the streetscene.
6. The proposal would replace the existing three advertisement displays with two internally illuminated digital displays of the same size and would be visible from similar vantage points. The proposed advertisements would change statically every 10 seconds and the interval between successive advertisements would be 0.1 seconds or less.
7. The Council's primary concern is that the visibility and prominence of the advertisements would be increased by the illuminated and changing nature of the proposed LED displays. I acknowledge that digital images would be brighter than those of the existing advertisements, and would change at regular intervals. However, the level of illumination could be regulated by condition and similarly, the speed with which the advertisements change and the prevention of video or moving images could also be controlled by condition. Consequently, whilst the advertisements would appear more modern and may draw the eye more than the existing, given the character and appearance of the area, they would not appear intrusive or out of place.
8. For the reasons given above, I consider that the advertisements would not cause material harm to the visual amenity of the area.
9. I have taken into account Policies EN1, DM1 and SP1 of the Manchester's Local Development Framework Core Strategy Development Plan Document and saved policies DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester which, amongst other things, seek to protect amenity and so are material in this case. Given that I have concluded that the proposal would not harm amenity, the proposal does not conflict with these policies.

Conditions and Recommendation

10. I have considered the comments made by the main parties regarding the necessity of conditions relating to the control of the luminance of the signs, moving images and the frequency with which the displays change. In the interests of public safety and visual amenity such conditions are necessary to make the proposal acceptable.
11. For the reasons given above and having regard to all other matters raised, I recommend that the appeal should be allowed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR

**APPENDIX 5 (APPEAL DECISION FOR 850 STOCKPORT ROAD,
MANCHESTER (REF: APP/B4215/Z/20/3254227))**

Appeal Decision

Site visit made on 12 August 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2020

Appeal Ref: APP/B4215/Z/20/3254227

850 Stockport Road, Manchester M19 3AH

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Clear Channel UK against the decision of Manchester City Council.
 - The application Ref 126343/AOH/2020, dated 11 February 2020, was refused by notice dated 21 April 2020.
 - The advertisement proposed is 1no. internally illuminated LED sign to replace existing 48 sheet poster billboard.
-

Decision

1. The appeal is allowed and express consent is granted for the display of an internally illuminated LED sign to replace existing 48 sheet poster billboard as applied for. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations¹, and the following additional condition:
 - 1) The display of advertisements shall be implemented on the basis of the following measures, which shall remain in place throughout the period of the advertisement consent as hereby authorised:
 - (a) No individual advertisements displayed on the LED screen shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs;
 - (b) No individual advertisements shall be displayed for a duration of less than 10 seconds;
 - (c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the screen;
 - (d) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation;
 - (e) The maximum luminance level of the advertisements displayed on the screen shall not exceed 300 candela per sqm.

¹ Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Procedural Matter

2. I have taken the description of the advertisement from the Council's Decision Notice as this is more precise.

Main Issue

3. The main issue is the effect of the proposed advertisement on the amenity of the area.

Reasons

4. The appeal site is located on a busy high street that is predominantly made up of retail and commercial properties, most of which have some form of advertisement on the premises. It is a dense urban area, with the busy road providing a continual level of activity and transiency. The site is located on the corner of Stockport Road and The Crescent and currently contains three externally illuminated 48-sheet size advertisements, two of which front onto Stockport Road and the other onto The Crescent.
5. The proposal would involve the replacement of one of the advertisements that fronts onto Stockport Road with a digital LED screen of the same size as the existing poster advertisement. It would display static images that would change every ten seconds.
6. The PPG gives an example that, in considering the effect on amenity of a proposed advertisement, a large poster-hoarding would be refused where it would dominate a group of listed buildings, but would be permitted in an industrial or commercial area of a major city (where there are large buildings and main highways) where the advertisement would not adversely affect the visual amenity of the neighbourhood of the site.
7. It is in the latter context which I find the appeal site. Taking into account the commercialised nature of the surrounding area, where there are numerous advertisements, and the fact that the proposal would replace an existing sign of the same size, I do not consider that it would appear incongruous or dominant in the street-scene.
8. I find that the change from the status quo, whereby a static, externally illuminated poster sign would be replaced with an internally illuminated display or changeable images would, in the context of the site, not have an unacceptable impact on amenity. The level of luminance proposed, which could be controlled by condition, would not result in the advertisement being unduly prominent in the area.
9. I therefore conclude that the proposed advertisement would not have a harmful effect upon amenity, thus it would comply with Chapter 12 of the National Planning Policy Framework (2019).
10. I have taken the Council's identified policies into account as material considerations. However, powers under the Regulations to control advertisements may be exercised only in the interests of amenity and public safety, taking account of any material factors. In my determination of this appeal, the Council's policies have not therefore, by themselves, been decisive. The proposal would comply with the amenity requirements of Policies EN1, DM1

and SP1 of the Core Strategy for the City of Manchester (2012) and Saved Policies DC15.1 and DC15.2 of the Unitary Development Plan.

Conditions

11. In addition to the standard five conditions, it is necessary to impose a condition restricting the luminance of the sign to no more than 300 candela per sqm. This is in the interests of amenity. In the interests of public safety, it is necessary to impose a condition relating to content restriction, changing of images and display of a blank screen in the event of malfunction.
12. As I have found the luminance, as controlled by condition, to be acceptable, it is not necessary to impose a condition requiring the installation of a light sensor.

Conclusion

13. For the reasons given above, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR

**APPENDIX 6 (DECISION NOTICE FOR HULME HALL LANE
(124354/AOH/2019))**

Important – Planning permission & notices of consent

Compliance with conditions

- Your planning approval or consent is attached. It will contain conditions that you must comply with.
- Please read the conditions and understand their requirements and restrictions, for example submission and approval of details or measures to protect trees.
- Some conditions will require action before you start development and it is imperative that you seek to have these discharged before any work commences.
- Whilst every effort has been made to group conditions logically, it is your responsibility to ensure that you are aware of the requirements and/or restrictions of all conditions.
- If you fail to comply with the conditions this may result in a breach of planning control and this may lead to enforcement action.
- Failure to comply with conditions may also result in the development not being lawful.
- It is in your interests to demonstrate that conditions have been complied with. Failure to do so may cause difficulties if the property is sold or transferred.
- A fee is payable for each request to discharge conditions.
- For advice on any of these matters, please contact Planning, Manchester City Council, PO Box 532, Town Hall, Manchester M60 2LA or email planning@manchester.gov.uk

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

Advertisement Consent

Applicant

Mr Joseph Arshed
Ocean Outdoor Limited
Neo
Charlotte Street
Manchester
M1 4ET

Agent (if used)

Part 1 – Particulars of the application/development

Proposal: Replacement of one illuminated 48 sheet vinyl advertising displays with LED digital advertising display with plinth and prism effect mono-support

Location: Hulme Hall Lane, Manchester, M40 8AZ

Date of application: 29 July 2019

Application number: 124354/AOH/2019

Part 2 – Particulars of decision

Manchester City Council gives notice that the development referred to in Part 1 has been **granted** in accordance with the application and plans submitted subject to the condition(s) listed below (if any).

Article 35 Declaration

The proposal was assessed with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan and other material considerations. In this instance the local planning authority had no issues to raise with the applicant/agent, but has attached appropriate conditions to the approval.

Condition(s) attached to this decision

1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:

- (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

- o Site Plan (Site Location) drawing no: XLMCR103201LP1250A3
- o Site Plan (Advertising Display) drawing no: XLMCR103201SP500A3
- o Existing & Proposed drawing no: XLMCR103201E
- o Visual - Existing & Proposed Display drawing no: XLMCR103201V
- o Visual - Satellite & Street View Images drawing no: XLMCR103201MISC1

All stamped and received by the City Council as Local Planning Authority on 29 July 2019.

Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to Saved Unitary Development Plan Policy E3.3 & DC15, Policy DM1 & SP1 of Manchester's Local Development Framework: The Manchester Core Strategy.

3) a) No individual advertisements displayed on the LED panel shall contain moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs.

(b) No individual advertisements shall be displayed for duration of less than 10 seconds.

(c) Controls shall be in place to ensure smooth uninterrupted transition of images displayed on the panel.

(d) The display panel shall be fitted with a light sensor, designed to adjust the brightness to changes in ambient light levels.

(e) A mechanism shall be in place so that if the installation breaks down, it defaults to a black screen to avoid any flashing error messages or pixilation.

(f) The maximum luminance level of the advertisements displayed on the panel shall not exceed 300 cd/m² during non-daylight hours / inclement weather.

Reason- In the interest of visual amenity, and pedestrian and highway safety within the vicinity of the site Pursuant to saved policy DC15 and DM1 and TM1 of the Manchester Core Strategy.

Informatives

There are no informatives attached to this decision.

Date: 17 September 2019

Signed:



Julie Roscoe
Director of Planning, Building Control & Licensing

Manchester City Council, P O Box 532, Town Hall, Manchester M60 2LA

Notes

1. This consent refers only to that required under the Town and Country (Control of Advertisements) (England) Regulations 2007 does not include any consent or approval under any other enactment, byelaw, order or regulation.

2. If the applicant is aggrieved by the decision of the local planning authority to refuse consent or approval for the proposed development, or to grant consent or approval subject to conditions, he may appeal to the Secretary of State in accordance with section 78 of the Act as amended by the Regulations within eight weeks of the date of the notice of the decision.

The Planning Inspectorate have introduced an online appeals service that is available through the gov.uk website at www.gov.uk/appeal-planning-inspectorate. The Inspectorate will publish details of your appeal on the internet.

This may include a copy of the original planning application form and any supporting documents supplied to the local planning authority. By you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission. More detailed information about data protection and privacy matters is available on the Planning Portal.

Alternatively, appeals can be made on a form which is obtainable from Planning Inspectorate, Customer Support Unit, Room 3/15, Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 or by telephone 0117 372 6372.

