

Land on the Roundabout of Kingsway and Moseley Road, M19 2LL

Planning Appeal Statement

Prepared on Behalf of Network Rail

July 2022

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1. INTRODUCTION

- 1.1. This Appeal Statement has been prepared by Tetra Tech Planning on behalf of Network Rail (“the Applicant”) in response to Manchester City Council’s (“the LPA”) decision to refuse an application for advertisement consent (ref: 133136/AOH/2022) for the installation of one 48 sheet digital LED advertisement display, which would replace 2 existing externally illuminated boards, a 96 sheet and 48 sheet, on land at the roundabout of Kingsway and Moseley Road, Manchester, M19 2LL.

Description of the development

- 1.2. The description of the development as detailed on the decision noticed is as follows;

“Installation of 48 sheet digital LED billboard following the removal of two existing hoardings.”

Reason for refusal

- 1.3. The decision noticed, dated 26th May 2022, provided the sole reason for refusal as follows;

“The proposed advertisement display by reason of size, location, design, appearance, elevated position, means of illumination and method of display, would create an unduly obtrusive and over-dominant feature in the street-scene adjacent to a main radial route and would form an incongruous feature within the street scene. The proposed display would thereby appear out of context with its location and would therefore, have an unacceptable and detrimental impact on the visual amenity of the area and the amenity of surrounding occupiers, contrary to Government Guidance contained in the National Planning Policy Framework, policies EN1, SP1 and DM1 of the Manchester Core Strategy and saved policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.”

Appeal Sections

- 1.4. This Appeal Statement is divided into the following sections:
- Section 2 describes the site, surroundings, and relevant planning history;
 - Section 3 describes the proposed development;
 - Section 4 provides the grounds for appeal, including a planning assessment of the appeal proposal, focusing on the reason for refusal; and
 - Section 5 provides the conclusion to this statement of case.

2. SITE, SURROUNDINGS AND RELEVANT PLANNING HISTORY

- 2.1. The appeal site is located on land at the roundabout of Kingsway and Moseley Road, a busy radial route to the south of Manchester. The site currently supports an externally illuminated 48 sheet billboard and an externally illuminated 96 sheet billboard. The immediate site surroundings are predominantly commercial in character. The closest residential properties are found to circa 40m away to the east of the site, on the opposite side of the Kingsway highways. These residential properties are first floor flats located above a terrace of shops which front on to the eastern side of Kingsway. There are 3 notable advertisement boards within the vicinity of the site, all of which are 48 panel billboards that are not illuminated. 2 of these billboards are located to the west of the site in the underpass, with the other billboard located to the north of this site, facing on to the roundabout junction. There are no listed buildings or heritage assets in the vicinity of this site.
- 2.2. The appeal site is an established location for advertising, having supported a static advertisement in this location for at least 10 years, ensuring the signs benefit from deemed consent.

Planning History

- 2.3. A review of Manchester City Council's planning database identified that an application for advertising consent was granted at the site on appeal on 20th March 2002. This was for 1 x 48 sheet illuminated advertisement display and 1 x 48 sheet static advertisement display. The details of the consent are as follows;

Reference: 062788/AOH/NORTH2/01

Address: Railway Embankment Kingsway, c/o Moseley Road.

Proposal: 1 x 48 sheet illuminated ultra-vision display unit and 1 x 48 sheet apollo unit with associated fencing.

Decision: Granted on appeal on 20th March 2002

- 2.4. As noted, the site has accommodated the display of advertisement billboards for in excess of 10 years. Photographic evidence of this is presented at **Appendix B** to establish the continued display of advertisement signs at this location.

3. PROPOSED DEVELOPMENT

- 3.1 The advertisement consent application in question formed part of a national roll out across Network Rail's advertisement panel portfolio aiming to upgrade existing static billboards as part of a programme of modernising their advertising stock to a digital poster (D-poster) format. The site falls under Network Rail's land ownership.
- 3.2 The proposal sought to "repost" the existing static displays on the land at Kingsway and Moseley Road Roundabout with a single "D-poster" which will display multiple static advertisements on rotation. The new screen dimensions proposed are 6500mm width x 3500mm height. The screen would be installed at the same height as the existing 96 panel sign which it would be replacing to appropriately avoid against any potential for vandalism and to provide suitable visibility to passers-by.
- 3.3 As part of the works, both of the existing externally illuminated advertisement boards would be removed, as illustrated on the submitted plans. It is considered that a new digital sign would improve the visual amenity of the locality in providing a better quality advertisement on-site. The proposed sign would be positioned with an alignment matching the left side of the exiting 96 panel board which it would replace, adopting the same siting and orientation, effectively standing equidistance from the current site boundaries as displayed on the drawings.
- 3.4 The proposal would allow Network Rail's existing advertising network to be better managed, monitored and maintained, to meet the modern requirements of advertisers. This will bring a wide range of benefits including:
- The upgrade of sites lacking in investment;
 - Ensuring a consistent quality of advertisement image, unaffected by weathering damage or ageing;
 - The ability for the illumination of signs to adjust to ambient light conditions, avoiding any potential for signs to be 'over illuminated';
 - Consolidation and delivering an overall reduction in the number of billboards in the network;
 - A reduction in vehicle trips for reposting paper adverts;
 - Eradicating the need to print posters and avoiding the associated waste involved in the production process;
 - The ability to broadcast emergency messaging;
 - The ability to use void periods for non-commercial campaigns;
 - Opportunity for more creative real time and locally relevant advertising; and
 - Revenue generated is in the public interest as it can be reinvested in the UK's railway and passenger infrastructure by Network Rail.

- 3.5 Digital Content would 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” would be able to turn the content to black until it can be resolved.
- 3.6 The proposal would utilise new display technology that is lightweight and can be erected with limited additional engineering, as digital poster installations typically weigh little more than the traditional paper and paste poster billboards.
- 3.7 The level of luminance can be suitably controlled in line with the Institution of Lighting Professionals (ILP) relevant guidelines. During the hours of darkness, the sign will not exceed the maximum threshold set in the ILP guidelines, of 300cd/m² within urban and suburban areas. The signs are also capable of automatically adjusting to current lighting conditions ensuring against any “over illumination”.
- 3.8 The displays are capable of being dimmed to within 1% of their maximum output and as such any concerns regarding levels of illuminance at a particular site can be dealt with swiftly and remotely. Lower levels of illuminance prolong the lifetime of the display and reduce electricity costs and as such there is an operational and economic imperative to ensure that digital signs are not “over illuminated”.
- 3.9 To ensure that the proposed digital advertisement does not materially or detrimentally impact upon amenity or public safety, the applicant is willing for the sign’s operation to be controlled via the use of appropriate planning conditions. Suggested conditions could include the following:
- Maximum level of illuminance during the hours of darkness (between sunset and sunrise) to be no greater than 300cd/m²;
 - Maximum level of illuminance during daylight hours to be no greater than 600cd/m²;
 - Static images to be displayed only (no moving or flashing images);
 - Changes between adverts to take place instantaneously with no sequencing, fading, swiping or merging of images; and
 - Advertisement images to change no more frequently than once every ten seconds.
- 3.10 The above conditions are industry standard and are commonly seen applied to applications of this type. Where circumstances demand, additional controls or variations of these conditions may be acceptable to the applicant and where these may be sought, we would welcome dialogue to agree these.
- 3.11 An advertisement consent drawing pack (ref: YZ020301352201_001_A) and covering letter were submitted in support of the application detailing the above proposed advertisement (included at **Appendices C and D** of this statement).

4. PLANNING POLICY CONTEXT

- 4.1. Advertisement consent applications are to be determined in accordance with the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (Regulations). The regulations state that local planning authorities are to consider factors in the interests of amenity and public safety when assessing an application for advertisement consent.
- 4.2. The application was refused solely on the grounds of amenity. As such, this section of the Appeal Statement focuses on considering the planning policies of relevance to the appeal as contained in the Development Plan and other policy documents material to the determination of the appeal.

Statutory Development Plan

- 4.3. Section 3(1)(a) of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material.
- 4.4. The statutory development plan for the Manchester City Council authority area is currently comprised of the following relevant documents;
- Core Strategy (2012 - 2027)
 - Saved policies from the Unitary Development Plan (1995 – 2012)

Material Considerations

- 4.5. The National Planning Policy Framework (NPPF 2021), National Planning Practice Guidance (NPPG), Relevant Supplementary Planning Guidance, Manchester Core Strategy (2012 – 2027) and saved policies from the Unitary Development Plan form material considerations in relation to this advertisement consent application.

The National Planning Policy Framework (NPPF 2021)

- 4.6. The key NPPF Policy test relating to advertisements is set out in Section 12, Paragraph 136, which states that advertisements should be subject to control only in the interests of amenity and public safety. The NPPF also indicates that the advertisement consent process should be operated in a way that is simple, efficient and effective.

National Planning Policy Guidance (NPPG)

- 4.7. In relation to advertisements, the NPPG reiterates the two considerations in determining proposals: amenity and, where relevant, public safety. The general characteristics of the area,

including the presence of any features of historic, architectural, cultural or similar interest are highlighted as being important in considering amenity.

- 4.8. The NPPG notes at paragraph 079 that *‘in practice, amenity is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement’.*
- 4.9. In terms of public safety, the NPPG notes that all advertisements are intended to attract attention but proposed advertisements at points where drivers need to take more care are more likely to affect public safety. The examples provided include junctions, roundabouts, pedestrian crossings and other places where local conditions present traffic hazards.

Reason for Refusal

- 4.10. The decision notice refusing consent for the scheme considers the proposal to be contrary to the following policies and legislation:

National Planning Policy Framework

- 4.11. The refusal states that the proposal is contrary to government guidance contained in the National Planning Policy Framework, though no specific paragraph is referred to in the notice. As such the following paragraphs from section 12 ‘Achieving Well Designed Places’ are considered to be of relevance to this appeal case.
- 4.12. Paragraph 126 states *‘the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.’*
- 4.13. Paragraph 127 states *‘Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design Policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics.’*
- 4.14. Paragraph 130 provides a series of requirements which planning decisions should ensure for developments. These include:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development,*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.’*

- 4.15. Paragraph 136 specifically refers to advertisements. It states *'The quality and character of places can suffer when advertisements are poorly sited and designed, advertisements should be subject to control only in the interests of amenity and public safety.'*

Manchester Core Strategy (2012 – 2027) – EN1 (Design Principles and Strategic Character Areas)

- 4.16. The policy makes specific reference to defined character areas,. Of relevance to this appeal site is the 'Southern Character Area', with the policy stating; *'Where appropriate development along the radial routes such as Princess Parkway should be commensurate in scale with the prominence of its location.'*

Manchester Core Strategy (2012 – 2027) – DM1 (Development Management)

- 4.17. The policy provides a number of specific principles which all developments should have regard to. Of specific reference to the appeal proposals these include;

- *'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.'*

Manchester Core Strategy (2012-2027) – SP1 (Spatial Principles)

- 4.18. Policy SP1 identifies core development principles. This includes a requirement that development in all parts of the city should *'make a positive contribution to neighbourhoods of choice.'*

Saved Unitary Development Plan Policies – E3.3 (Environmental Improvement and Protection)

- 4.19. The policy refers to improvements to the appearance of the City's major roads.
- 4.20. The policy states; *'The Council will upgrade the appearance of the City's major radial and orbital roads and rail routes. This will include improvements to the appearance of adjacent premises; encouraging new development of the highest quality; and ensuring that landscape schemes are designed to minimise litter problems.'*

Saved Unitary Development Plan Policies – DC15.1 and DC15.2 Advertisements, Hoardings and Posters

- 4.21. Both policies set out the relevant considerations with regard to advertisements and hoardings. The policies are as follows;

DC15.1 'The Advertisement Regulations require that applications for advertisements be considered only in the interests of amenity and public safety. In determining applications for free

standing hoardings and wall mounted posters the Council will take account of the following matters in assessing these interests:

- a. the general location of the proposed development and the effect on visual amenity;*
- b. the scope for posters and hoardings to make a positive contribution to the locality;*
- c. the design of the structures, and the relationship with any premises on which they are located;*
- d. the effect of the proposal on permanent redevelopment of the land;*
- e. public safety resulting from the positioning of the design of the display;*
- f. the ease with which the structure is capable of being satisfactorily maintained;*
- g. the use of hoardings to screen vacant sites or buildings during development, or where development is known to be imminent;*
- h. the use of hoardings as part of a scheme to prevent access by unauthorised users onto land pending development*
- i. the use of hoardings to disguise or improve the appearance of unsightly features, operations or activities;*
- j. the number of advertisements in the locality and their cumulative effect on visual amenity.'*

DC15.2 'In assessing the interests of amenity and safety the Council will take account of the following criteria:

- a. developments of this kind should not harm the character or architectural features of a building, nor interfere with its proper use;*
- b. they should be in scale with the locality and relate properly to the site on which they stand;*
- c. they should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value;*
- d. a proposal 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.'*

5. GROUNDS FOR APPEAL

Introduction

- 5.1. As mentioned above and in accordance with the NPPF, advertisement proposals must only be considered in terms of amenity and public safety.
- 5.2. The Planning Officer's Report and the subsequent decision notice have concluded that the proposal would *'by reason of its size, location, design, appearance, elevated position, means of illumination and method of display, would create an unduly obtrusive and over-dominant feature in the street-scene adjacent to a main radial route, and would form an incongruous feature within the street scene.'* The proposals were therefore considered to be contrary to the NPPF and the Local Development Plan.
- 5.3. The reason for refusal will now be addressed and conclusions drawn with reference to the pertinent elements of development plan policy and national planning policy.
- 5.4. No concerns were raised in respect to public safety and therefore the rest of this Statement will focus on the consideration of amenity for the determination of the application. The application received a single objection – noted in the officer's report – from a business owner in the vicinity though this was on the grounds of highway safety rather than any negative effects for amenity. The response from the Local Highways Authority, detailed in the officer's report confirms no objection to the application.

Refusal Reason

- 5.5. The sole reason for refusal is as follows;

'The proposed advertisement display by reason of size, location, design, appearance, elevated position, means of illumination and method of display, would create an unduly obtrusive and over-dominant feature in the street-scene adjacent to a main radial route and would form an incongruous feature within the street scene. The proposed display would thereby appear out of context with its location and would therefore, have an unacceptable and detrimental impact on the visual amenity of the area and the amenity of surrounding occupiers, contrary to Government Guidance contained in the National Planning Policy Framework, policies EN1, SP1 and DM1 of the Manchester Core Strategy and saved policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.'

- 5.6. The reason for refusal principally concerns the impact of the proposals upon visual amenity. The refusal reason also refers to an unacceptable and detrimental impact upon the amenity of surrounding occupiers. The impact of the proposals on residential amenity is therefore also considered in turn below.
- 5.7. At the outset it is worthy to note that the site is not within a conservation area, nor is it observed alongside any listed building or other heritage asset. Furthermore, the proposed advertisement

would not be viewed directly alongside any neighbouring buildings or features of interest within the urban environment, standing on an otherwise unutilised embankment.

- 5.8. The key aspects for the proposals which potentially impact visual and residential amenity are subsequently identified and discussed below.

Size of Advertisement Board

- 5.9. The proposed advertisement will be smaller in size than the current externally illuminated 96 panel advertisement board that is on the site, being 6.5m in width compared to the 12m width of the existing sign. Both the existing and proposed sign are 3.5m in height. Equally, both the existing 96 panel sign and the proposed digital poster would be of a matching height, both installed on a plinth of 2.0m in height. In addition, the removal of the adjacent externally illuminated 48 panel advertisement board means that the extent of advertisements on this site is further being reduced.
- 5.10. Given the overall reduction in the size and area of advertisements at the site, the proposed size of the advertisement cannot justifiably be considered to contribute to any negative impact on the character of the area.

Location / Elevated Position

- 5.11. The Planning Officer's report confirms that the principle of an advertisement display in this location has been established. The report identifies that the site has formal consent for 2 x 48 sheet hoardings, despite the presence of 1x 96 sheet advertisement hoarding. The established nature of the site to support advertisements is demonstrated by the photographic evidence presented at Appendix B of this Statement establishing the longstanding nature of advertisement boards at the site.
- 5.12. In seeking to utilise an existing and established location for advertisements, the siting of the proposed advertisement sign consequently does not present a justified reason for refusal, in replicating an existing and well-established sign position which benefits from deemed consent.
- 5.13. The officer's report and decision notice also refer to the elevated position of the proposed advertisement as contributing to an obtrusive and overbearing appearance. The proposed advertisement would adopt the same height and orientation as the existing 96 sheet advertisement board, meaning that the proposed sign would be no higher than the existing arrangement.
- 5.14. We are of the view that given the site's commercial context and the established nature of the site to accommodate advertisements, the proposed single advertisement board at this location would not have a negative impact upon the character of the street scene or the wider area.

Illumination

- 5.15. The illumination of the proposed sign can be suitably controlled in accordance with the Institute of Lighting Professionals 'The Brightness of Illuminated Advertisements PLG 05' guidance with illumination during the hours of darkness limited to 300cd/m² (Table 4, Section 8 of the guidance). The maximum level of illumination during daylight hours can also be conditioned to no greater than 600cd/m², which is also common practice for such digital advertisements. As identified earlier within this Statement, the applicant is happy for the maximum levels of illumination and operation of the proposed advertisement sign to be suitable controlled via industry standard conditions.

Design / Method of Display

- 5.16. The proposed sign would introduce LED illumination, however, such illumination design is now common place across the road network and is gradually replacing more traditional externally or internally illuminated static advertisement boards and represents a more sustainable form of advertising. Appendix E provides examples of similar advertisements and settings that have been approved, establishing that advertisements of this type are not out of keeping with other examples in and around Manchester City Centre.
- 5.17. Regarding the frequency at which the advertisements will change, this will be no more frequently than once every ten seconds, a frequency of rotation that is industry standard, and commonly conditioned for such digital advertisement boards.
- 5.18. The Institution of Lighting Professionals 'The Brightness of Illuminated Advertisements PLG 05' recommends that for digital signs *"when the content may change then the rate of change should be limited to once every five seconds."*¹
- 5.19. The advertisement images for the proposed digital display in only changing once every 10 seconds would be a significant betterment above what is set out in this guidance.

Residential Amenity

- 5.20. The Officers report references residential properties in the vicinity that may experience disamenity due to the nature of the illuminations. As there are currently 2 externally illuminated advertisements on the site, the removal of these signs and replacement with a single LED advertisement would have minimal effect for residential amenity.
- 5.21. The proposed digital sign would be circa 40m from the nearest residential windows, ensuring that there would be a significant separation distance to protect the residential amenity of neighbouring occupants. Furthermore, as previously identified in this Statement, the sign's maximum illumination can be suitable controlled by conditions in accordance with industry

¹ The Institution of Lighting Professionals 'The Brightness of Illuminated Advertisements PLG 05' (2014), Section 8, Note 1.

guidance standards and the sign would be able to adjust to ambient light conditions to avoid against any “over illumination”.

- 5.22. Additionally, the surrounding area is served by streetlighting with a prevalence of illuminated shop fascia advertisements. Furthermore, the location is also experiences regular exposure to frequent passing cars and their headlights during the hours of darkness.
- 5.23. The officer’s report indicates that the intermittent display of the proposed advertisement may impact on visual amenity for residents in nearby dwellings, stating; *‘It is considered that the illumination method proposed has the potential to cause disamenity to those residents, which would be further exacerbated by the intermittent nature of the display.’*
- 5.24. There will be no moving, flashing, or animated images, with the rotation of advertisements images being instantaneous. The advertisement images will all be static and there would be no fading or merging of images as the adverts rotate. This will in essence replicate the static image format of a traditional paper advertisement, although benefit from the sustainable and operational advantages of being operating through digital technology.

Conclusion

- 5.25. In conclusion, for the reasons outlined above, we consider the proposed development provides an overall, on-balance, benefit to visual amenity.
- 5.26. The upgrade of the exiting site’s signs to a digital format, alongside a 50% reduction in the total number of signs, and general tidying of the site by virtue of providing a modern, well maintained and remotely controlled digital advertisement will in fact contribute to improving visual amenity for the area.
- 5.27. Advertisements already present a dominant characteristic in this location, given the prevalence of such installations around the application site. Furthermore, there are additional signs of a similar size within the direct vicinity, specifically to the west and north of the roundabout on which the site is located. The proposals in rationalising the number of advertisements will reduce visual clutter to the benefit of visual amenity in the area.
- 5.28. The refusal reason identified a number of issues as to why the proposals would be contrary to planning policies. However, in this statement we have outlined why each of these factors would not materially cause harm to the street scene, visual amenity or residential amenity when accurately considered in the context of the site.
- 5.29. With appropriate consideration given to the site’s contest, we do not consider that the proposal is contrary to Paragraph 136 of the NPPF or the identified policies from the Local Development Plan, with no material harm caused to the street scene or the character of the surrounding area.

6. CONCLUSION

- 6.1. This appeal statement is submitted in support of an appeal against the decision of Manchester City Council to refuse advertisement consent application 133136/AOH/2022 on 26th May 2022 for the following development on land at the roundabout of Kingsway and Moseley Road, Manchester, M19 2LL;

'Installation of 48 sheet digital LED billboard following the removal of two existing hoardings'

- 6.2. The application was refused on the grounds of visual and residential amenity. This Statement has presented the case that the proposed development would not have a detrimental impact upon the street scene or the wider area when appropriate consideration is provided to the site's setting and the established nature of the site as a location for advertisements. In addition, the controls which can be put in place through planning conditions to control the operation of the proposed sign as well as the separating distance between the site and the closest residential properties will ensure that no detrimental impact on residential amenity will occur.
- 6.3. There are currently 2 advertisement boards on site, one externally illuminated 96 panel board and one externally illuminated 48 panel board. The proposed board would adopt the same orientation as the existing 96 panel board. Achieving a reduction in the number of advertisement boards whilst incorporating illumination which can be suitably controlled would have no material detrimental impact for the visual amenity of the area.
- 6.4. This Statement establishes that any impacts of the proposal would be negligible when appropriately assessed against the existing situation. When applying a balanced judgement, it seems reasonable that the decision of the local planning authority should be overturned and that this proposal be granted advertisement consent.

Appendix A – Decision Notice – Ref: 133136/AOH/2022



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

Refusal of Advertisement Consent

Applicant

Network Rail
C/o Agent

Agent (if used)

Mr Sam Beresford
Tetra Tech
Quay West
Media City
Trafford Wharf Road
Manchester
M17 1HH

Part 1 – Particulars of the application/development

Proposal: Installation of 48 sheet digital LED billboard following the removal of two existing hoardings

Location: Land On The Roundabout Of Kingsway And Moseley Road, Manchester, M19 2LL

Date of application: 7 March 2022

Application number: 133136/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 attempted to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application. Ultimately though, the proposed display is considered to be contrary to policy and cannot therefore be supported.

Reason(s) for decision

1) The proposed advertisement display by reason of its size, location, design, appearance, elevated position, means of illumination and method of display, would create an unduly obtrusive and over-dominant feature in the street-scene adjacent to a main radial route, and would form an incongruous feature within the street scene. The proposed display would thereby appear out of context with its location and would therefore have an unacceptable and detrimental impact on the visual amenity of the

area and the amenity of surrounding occupiers, contrary to Government Guidance contained in the National Planning Policy Framework, policies EN1, SP1 and DM1 of the Manchester Core Strategy and saved policies E3.3, DC15.1 and DC15.2 of the Unitary Development Plan for the City of Manchester.

Date: 26 May 2022

Signed: 

Julie Roscoe
Director of Planning, Building Control & Licensing

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

Notes

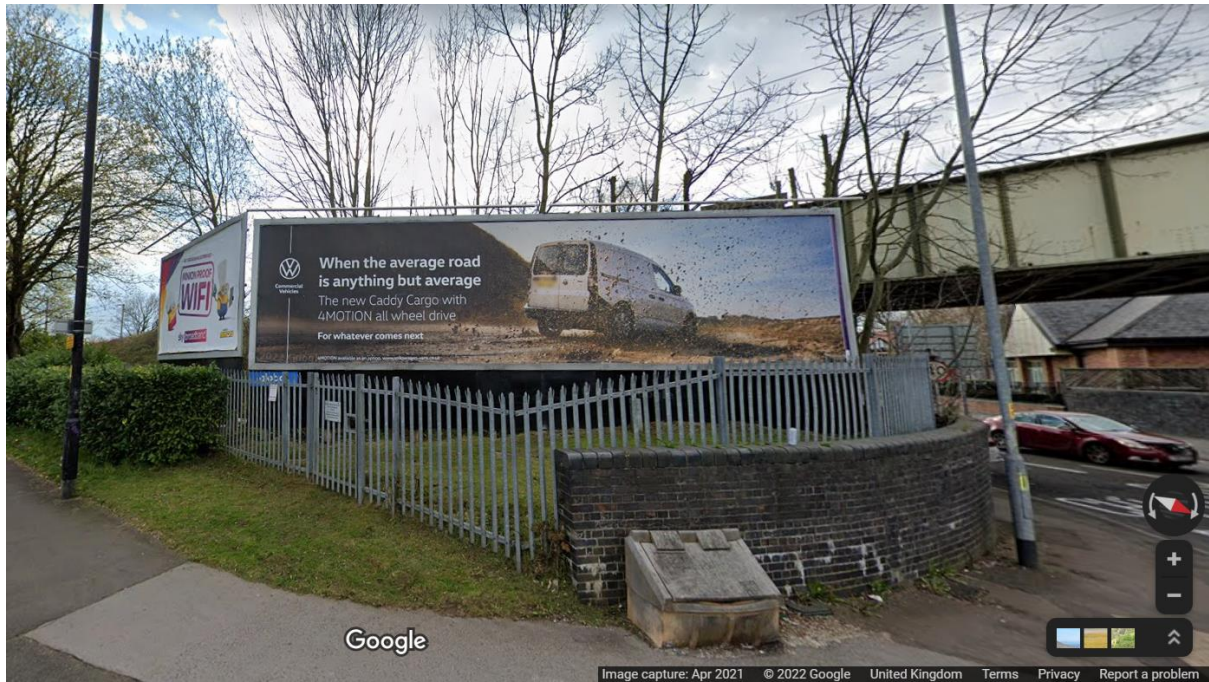
1. This decision refers only to that required under the Town and Country (Control of Advertisements) (England) Regulations 2007 does not include any consent or approval under any other enactment, byelaw, order or regulation.

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 B - Timeline Photos of Appeal Site

April 2021



August 2017



July 2014



October 2012



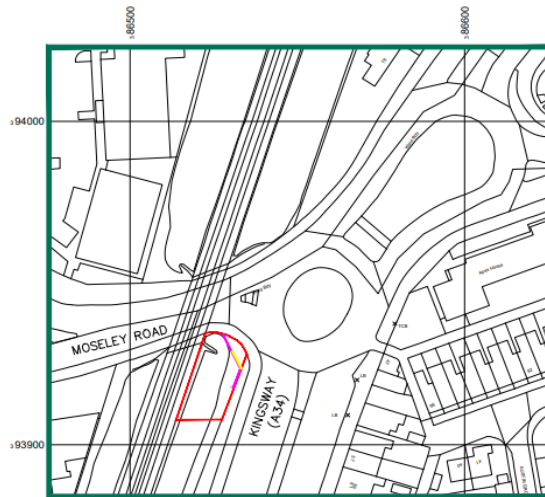
September 2008



Appendix C – Drawing Pack

[illegible]

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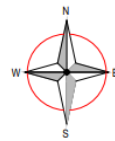


0 1:1250 25m 50



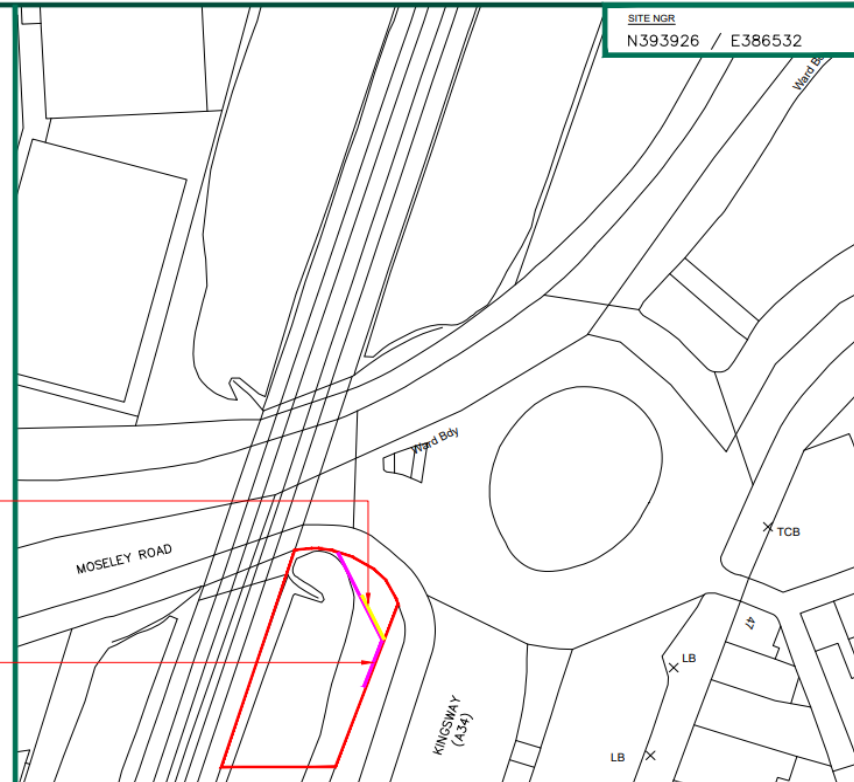
SITE PHOTOGRAPH

STREETVIEW LINK - <https://goo.gl/maps/r3FRo6BcZFWxkAeN7>



EXISTING 96 SIGN TO BE
REMOVED AND REPLACED
WITH PROPOSED D48 SIGN

EXISTING 48 SIGN TO BE
REMOVED AS PART OF
APPLICATION



SITE NGR
N393926 / E386532

0 1:500 10m 20

- SITE DEMISE LINE
- EXISTING 48 & 96 - SHEET ADVERTISING HOARDING
- UPGRADE OF 1No. 48 - SHEET ADVERTISING HOARDING TO DIGITAL LED DISPLAY



CLIENT



TETRA TECH

B	EXISTING SIGN HEIGHTS AMENDED	NM	10.05.22	DCC
A	FIRST ISSUE	PH	03.02.22	DCC
REV	DESCRIPTION	BY	DATE	CHKD
SCALE	DRAWN	CHECKED	APPROVED	
AS SHOWN	PH	DCC	PC	
	DATE	DATE	DATE	
	03.02.22	03.02.22	03.02.22	

ADDRESS
SIGNAGE REPLACEMENT AT ROUNDABOUT
JUNCTION OF KINGSWAY & MOSELEY ROAD,
MAULDETH ROAD, MANCHESTER, M19 2LL

TITLE
SITE LOCATION PLAN

DRAWING NUMBER
YZ020301352201_001_B



CLIENT



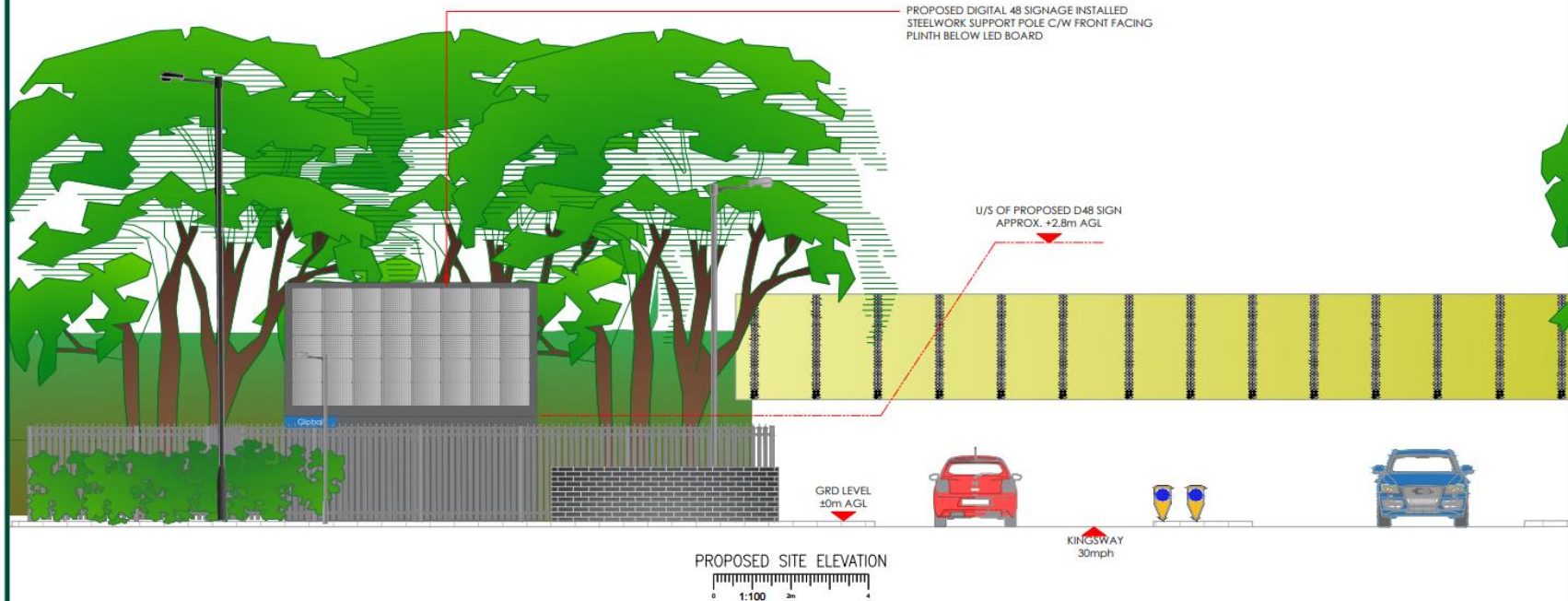
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A	FIRST ISSUE	PH	03.02.22	DCC
REV	DESCRIPTION	BY	DATE	CHKD
SCALE	DRAWN	CHECKED	APPROVED	
1:100	PH	DCC	PC	
	DATE	DATE	DATE	
	03.02.22	03.02.22	03.02.22	

ADDRESS
SIGNAGE REPLACEMENT AT ROUNDABOUT
JUNCTION OF KINGSWAY & MOSELEY ROAD,
MAULDETH ROAD, MANCHESTER, M19 2LL

TITLE
EXISTING SITE ELEVATION

DRAWING NUMBER
YZ020301352201_002_B

DESKTOP SURVEY CAVEAT
SITE INFORMATION HAS BEEN DERIVED FROM 3rd PARTY SOURCES
AS NECESSARY, ALTHOUGH BEST EFFORTS HAVE BEEN MADE TO
ENSURE THE DRAWING REPRESENT THE SITE FROM INFORMATION
AVAILABLE IT MUST BE UNDERSTOOD THAT THE FINAL SETTING OUT
ON SITE MAY VARY



CLIENT



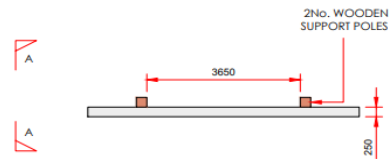
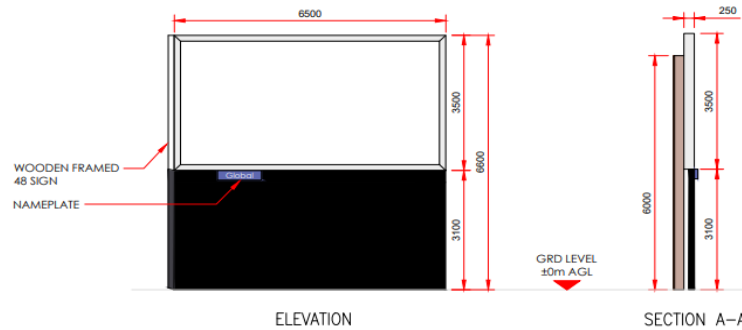
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A	FIRST ISSUE	PH	03.02.22	DCC
REV	DESCRIPTION	BY	DATE	CHKD
SCALE 1:100	DRAWN PH DATE 03.02.22	CHECKED DCC DATE 03.02.22	APPROVED PC DATE 03.02.22	

ADDRESS
SIGNAGE REPLACEMENT AT ROUNDABOUT
JUNCTION OF KINGSWAY & MOSELEY ROAD,
MAULDETH ROAD, MANCHESTER, M19 2LL

TITLE
PROPOSED SITE ELEVATION

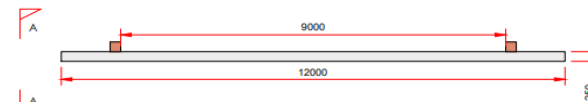
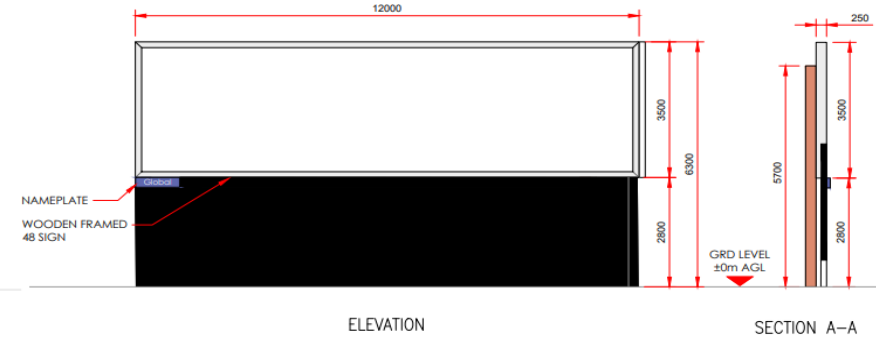
DRAWING NUMBER
YZ020301352201_003_B

DESKTOP SURVEY CAVEAT
SITE INFORMATION HAS BEEN DERIVED FROM 3rd PARTY SOURCES
OTHER SOURCES AS NECESSARY, ALTHOUGH BEST EFFORTS HAVE
BEEN MADE TO ENSURE THE DRAWING REPRESENT THE SITE FROM
INFORMATION AVAILABLE IT MUST BE UNDERSTOOD THAT THE
FINAL SETTING OUT ON SITE MAY VARY



EXISTING SPECIFICATION - 48 SHEET PANEL

0 1:100 2m 4



EXISTING SPECIFICATION - 96 SHEET PANEL

0 1:100 2m 4



CLIENT



B	EXISTING SIGN HEIGHTS AMENDED	NM	10.05.22	DCC
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1:100	PH	DCC	PC	
	DATE	DATE	DATE	
	03.02.22	03.02.22	03.02.22	

ADDRESS
SIGNAGE REPLACEMENT AT ROUNDABOUT
JUNCTION OF KINGSWAY & MOSELEY ROAD,
MAULDETH ROAD, MANCHESTER, M19 2LL

TITLE
EXISTING SIGN SPECIFICATION

DRAWING NUMBER
YZ020301352201_004_B



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Appendix D – Application Covering Letter



Our Ref: 784-B032514 / YZ020301352201

Planning
Manchester City Council
PO BOX 532
Manchester
M60 2LA

01.03.2022

Dear Sir/Madam

LAND ON THE ROUNABOUT OF KINGSWAY AND MOSELEY ROAD, M19 2LL
APPLICATION TO UPGRADE EXISTING ADVERTISEMENT BILLBOARD TO A DIGITAL LED
ADVERTISEMENT

Tetra Tech has been instructed to submit an application for advertisement consent to upgrade the existing static billboard at the site address above as part of a programme of modernising Network Rail's advertising stock to a digital poster (D-poster) format.

The digital poster advertisements are capable of being posted from a central location without the need to visit each site individually. The digital image display will ensure a consistent quality of image is always presented, mimicking that of a traditional poster. The overall aim of the advertisement upgrading project is to replace like for like, with no adverse impact on visual amenity or public safety.

This application is accompanied by the below drawings and plans:

- Completed application forms prepared by Tetra Tech;
- Supporting Statement prepared by Tetra Tech (this letter);
- Drawing no. YZ020301352201_001_A - Site Location Plan;
- Drawing no. YZ020301352201_002_A - Existing Site Elevation;
- Drawing no. YZ020301352201_003_A - Proposed Site Elevation;
- Drawing no. YZ020301352201_004_A - Existing and Proposed Sign Specification;
- Drawing no. YZ020301352201_005_A - Photo Montage

We have arranged for payment for the sum of £462 to cover the statutory application fee for the advertisement consent application.

The Site

The proposal site is located on the roundabout linking Kingsway and Moseley Road. The site currently supports a static 48 panel billboard and a static 96 panel billboard, both of which are externally illuminated. The site surroundings are predominantly commercial in character. There are residential properties to the west of the site, on the south side of Kingsway. There are 3 other notable advertisement boards within the vicinity of the site, all of which are 48 panel billboards that are not illuminated. 2 of these billboards are located directly to the north of the site in the underpass and the

TETRA TECH

Quay West at MediaCity, Trafford Wharf Road, Manchester, M17 1HH
www.tetrachteurope.com

other billboard is located to the east of the site. There are no listed buildings or heritage assets within the vicinity of the site.

The proposal site is an established location for advertising, having supported a static advertisement in this location for over 10 years.

The Proposal

The proposal seeks to "repost" the existing static displays at the roundabout of Kingsway and Moseley Road with a "D-poster" which will display multiple static advertisements on rotation. The new screen dimensions are to be 6500mm width x 3500mm height. The screen would be installed at a suitable height above ground level to appropriately avoid against any potential for vandalism.

The upgraded D-poster advertisement board would adopt the same position and orientation as the existing static advertisement billboard in situ. Specifically, the new D-poster would be aligned with the left hand side of the existing 96 panel billboard.

As part of the proposed works the removal of a further existing 48 panel billboard which falls within Network Rail's land ownership is also proposed, as illustrated on the provided plans. The removal of this sign will reduce the number of advertisements on the street scene, providing a tangible improvement for the visual amenity of the locality.

The proposals will allow Network Rail's existing advertising network to be better managed, monitored and maintained, to meet the modern requirements of advertisers. This will bring a wide range of benefits including:

- Ensuring a consistent quality of advertisement image, unaffected by weathering damage or ageing.
- Providing investment to improve the appearance of existing advertisement sites;
- Revenue generated is in the public interest as it can be reinvested in the UK's railway and passenger infrastructure by Network Rail;
- Consolidation and delivering an overall reduction in the number of billboards in the network, helping to declutter street scenes;
- A reduction in vehicle trips for reposting paper adverts;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- The ability to broadcast emergency messaging;
- The ability to use void periods for non-commercial campaigns;
- Opportunity for more creative real time and locally relevant advertising;

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.

The proposal will utilise new display technology that is lightweight and can be erected with limited additional engineering, as the digital poster installations typically weigh little more than the traditional paper and paste poster billboard it will replace.

TETRA TECH

The level of luminance can be suitably controlled in line with the Institution of Lighting Professionals (ILP) relevant guidelines. During the hours of darkness the sign will not exceed the maximum threshold set in the ILP guidelines¹ of 300cd/m² within urban and suburban areas. The signs are also capable of automatically adjusting to current lighting conditions ensuring against any "over illumination".

The displays are capable of being dimmed to within 1% of their maximum output and as such any concerns regarding levels of illuminance at a particular site can be dealt with swiftly and remotely. Lower levels of illuminance prolong the lifetime of the display and reduce electricity costs and as such there is an operational and economic imperative to ensure that digital signs are not "over illuminated".

In order to ensure that the proposed digital advertisement does not materially or detrimentally impact upon amenity or public safety, the applicant is willing for the sign's operation to be controlled via the use of appropriate planning conditions. Suggested conditions could include the following:

- Maximum level of night time illuminance to be set to 300cd/m²;
- 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; and
- Advertisements to change no more frequently than once every ten seconds.

The above conditions are industry standard and are commonly seen applied to applications of this type. Where circumstances demand, additional controls or variations of these conditions may be acceptable to the applicant and where these may be sought, we would welcome dialogue with the case officer to agree.

Planning Policy

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

The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 136 of the 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.

¹ Institution of Lighting Professionals, 'The Brightness of Illuminated Advertisements PLG 05' (2015)

The Local Plan for the local authority area principally comprises the Core Strategy (2012-2027) and saved policies from the Unitary Development Plan.

Policy DM 1 (Development Management 1) in the Manchester Core Strategy emphasises the need for any proposal to take into consideration the character of the surrounding area. The policy establishes that developments should be appropriate with regards to siting, layout, scale, form, massing, materials and detail. The policy also indicates that development proposals should have regard to their potential impacts upon amenity.

Policies DC15.1 and DC15.2 in the Manchester Unitary Development Plan specifically refer to advertisements and hoardings. The policies identify a number of considerations to be taken into account in the consideration of advertisement consent applications. Within Policy DC15.1 this includes providing appropriate consideration to the impacts upon visual amenity and public safety.

Policy DC15.2 states the Council will also consider a proposal's effect on the architectural integrity of any buildings that are on site or any effects upon a building's proper use. Any proposal should be unobtrusive and should not intrude into residential neighbourhoods and areas of high amenity value in addition to having no adverse effects on public safety or adversely affecting the flow of any traffic in the vicinity.

Importantly, the Council's policies accept that *'advertisements can have a positive role in improving the quality of the visual environment in the City'*.

Planning Considerations

In replacing the existing static advertisement signs with an upgraded digital sign, the proposal will not increase the number of adverts in the area. The like for like replacement of the display and the controls put in place over the sign's operation will ensure that any change to the visual impact of the site and its surroundings will be "de minimus" and not material.

Notwithstanding that the principle for the site to accommodate advertisements has already been established, 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 requires express consent. The impact of the proposal in respect to amenity and public safety is considered in turn below.

Amenity

As the proposal seeks to "repost" the existing advertisement and therefore mimic the existing situation, there will be minimal impact on visual amenity and the positioning of the advertisement will remain unchanged. The side-by-side comparison photo montage of the D-Poster installation provided with the planning drawings helps to illustrate the minimal difference between the existing type of display and the proposed digital replacement and the overall improvement to visual amenity which will be provided.

The existing signs at the site are currently externally illuminated. The replacement sign's illumination can be suitably controlled by a standard condition to ensure that the change to a digital format will not cause material harm to amenity, including to any neighboring occupants or properties. The level of luminance will be set at no greater than 300cd/m² during hours of darkness. The context of the site's urban surroundings, which include other illuminated adverts and street lighting establishes the site as appropriate for an illuminated advert of this type. Additional controls over the display can be considered if necessary to remedy a specific amenity concern.

In addition, the proposed removal of Network Rail's existing 48 panel billboard in the direct vicinity will assist to improve visual amenity on the street scene through reducing the cumulative number of adverts in the locality.

Public Safety

When assessing public safety, the key considerations are whether the location is appropriate (i.e. not detrimental to highway safety) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from driving. Consideration has been provided to the sign's siting to ensure it will not impact upon the safe operation of the highway network or impact upon pedestrian movements.

As the principle of an advertisement has already been established at this location, the Council must only consider whether there is any additional distraction arising from the proposed digital sign 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.

Conclusion

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

The proposal will not increase the size, nor change the position or orientation of the advert. As such, the established acceptability of an advertisement in this location should not materially change. Commonly used standard conditions can be employed to appropriately control the luminance and operation of the digital screen to ensure that no material harm to amenity or road safety would occur.

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

We 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 the undersigned.

Yours sincerely



Sam Beresford
Sports / Town Planner
SAM.BERESFORD@tetrattech.com
07815015743

APPENDIX E – Examples of Approved Advertisement Consents in Manchester

Ref: 097559/AO/2011/C1 – ‘One number LED screen and one light box attached to bridge’

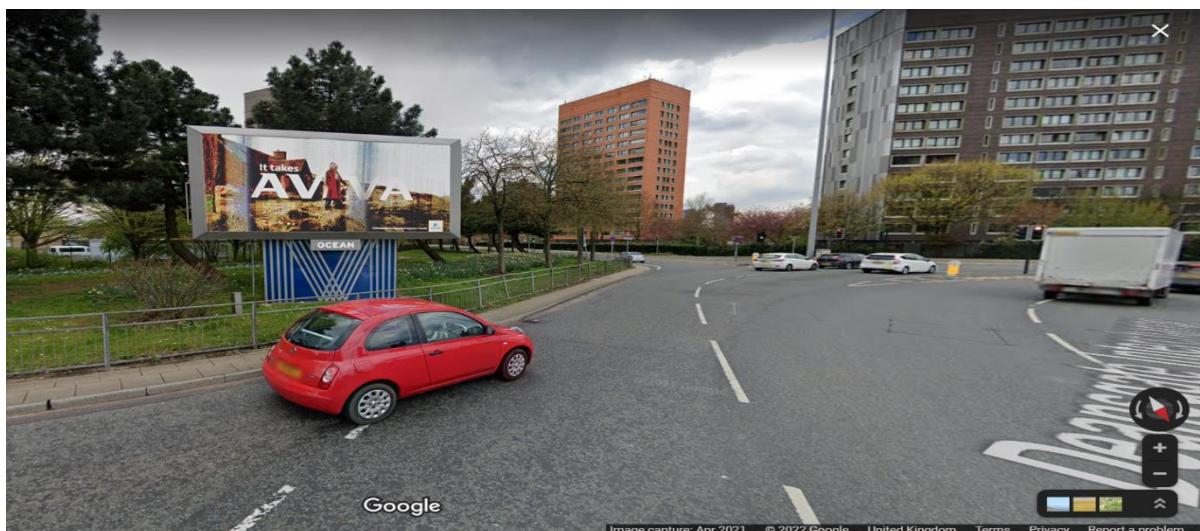
Chester Road/Mancunian Way Manchester



An example of a large LED sign on a major orbital route around Manchester.

Ref: 111385/AO/2016/S1 - ‘Installation of a 5.4 metre high Static Digital Advertisement Display Panel in replacement of existing Static Back Illuminated Vinyl Advertisement Display Panel’

Land At Chorlton Road/Chester Roundabout, Hulme, Manchester, M15 5AR



An example of an LED advertisement on a roundabout on a major orbital route around Manchester.

Ref: 128694/AOH/2020 - *'Installation of digital (LED) advertisement hoarding following removal of existing illuminated advertisement hoarding'*

London Road Approach Mancunian Way, Manchester, M1 2PG



An example of a large LED sign on a major orbital route around Manchester.

Ref: 131479/AOH/2021 - *'Replacement of 4 no. existing externally illuminated 48 sheet advertising panels with 2 no.48 sheet digital LED advertising display'*

Land And Buildings On The East Side Of Waterloo Road, Manchester, M8 8AE



An example of an approved proposal to replace externally illuminated signs with LED signs facing residential units in Manchester. Note: Google Street View has not yet recorded the change.