

DELEGATED REPORT

Report by Claire Booth	Date of report: 20/08/2025	Ref: 72036/ADV
Registration: 09/06/2025	LDfC: 03/07/2025	Expiry Date: 04/08/2025
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: NONE
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: ADVT

Proposal: Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit

Location: Pavement at side of Unit 3 Angouleme Retail Park, George Street, Bury, BL9 7AX

Description

The application site is positioned on a portion of pedestrian footpath to the east of Angouleme Way. This portion of Angouleme Way is a five-lane carriageway which includes a turning lane into the retail site to the west. A bus lane also existing adjacent the site, with the bus stop north of the proposed location. There are pedestrian guard rails at either end of the bus stop lane. There are no traffic signals or traffic signs within proximity of the sit. There are however pedestrian guard rails located at either end of the Bus Stop lane.

The site is within an allocated Shopping area within Bury Town Centre on a strategic highway route, the A58 Angouleme Way, as defined within the adopted Development Plan. The site is also within an Air Quality Management Area.

Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit.

Relevant Planning History

72035 - Installation of 1 no. BT Street Hub Unit with 2 no. digital 75 inch LCD display screens either side of unit and removal of existing phone kiosks - Currently under consideration

71501 - Installation of 1 no. BT street hub unit with 2 no. digital 75 inch LCD display screens either side of unit - Withdrawn, 02/07/2025

71480 - Advertisement consent for 2 no. digital 75 inch LCD display screens either side of 1 no. BT street hub unit - Refused 17/02/2025

Publicity

Not applicable.

Statutory/Non-Statutory Consultations

Traffic Section - Recommend refusal. The proposal would result in an unnecessary obstruction of the adopted highway and the creation of additional street clutter for an installation that primarily consists of an advertisement screen that is not a direct replacement for the adjacent telephone kiosk, which would be detrimental to pedestrian safety, maintaining existing pedestrian desire lines and contrary to the active travel aspirations of the Council.

Pre-start Conditions - Not relevant

Development Plan and Policies

Area	George Street
BY9	
S1/1	Shopping in Bury Town Centre
S2/3	Secondary Shopping Areas and Frontages
EN1/7	Throughroutes and Gateways
EN1/9	Advertisements
NPPF	National Planning Policy Framework

Issues and Analysis

The following report includes analysis of the merits of the application against the relevant policies of both the National Planning Policy Framework (NPPF), the adopted Places for Everyone Joint Development Plan Document (PfE) and the saved policies within the adopted Bury Unitary Development Plan (UDP), together with other relevant material planning considerations.

The policies of the UDP that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations. For simplicity, just the UDP and PfE Policies will be referred to in the report, unless there is a particular matter to highlight arising from the NPPF where it would otherwise be specifically mentioned.

Equality Act 2010: All planning applications are considered in light of the Equality Act 2010 and associated Public Sector Equality Duty, where the Council is required to have due regard for:

The elimination of discrimination, harassment and victimisation;

The advancement of equality of opportunity between persons who share a relevant protected characteristic and person who do not share it;

The fostering of good relations between persons who share a relevant protected characteristic and person who do not share it; which applies to people from the protected equality groups.

Human Rights: All planning applications are considered against the provisions of the Human Rights Act 1998.

Under Article 6 the applicants (and those third parties who have made representations) have the right to a fair hearing and to this end full consideration will be given to their comments.

Article 8 and Protocol 1 of the First Article confer a right to respect private and family life and a right to the protection of property, ie peaceful enjoyment of one's possessions which could include a person's home, and other land and business assets.

In taking account of the Council policy as set out in the Bury Unitary Development Plan 1997 and all material planning considerations, it is concluded on balance that the rights conferred upon the applicant/ objectors/ residents/ other interested party by Article 8 and Article 1 of the First Protocol may be interfered with, since such interference is in accordance with the law and is justified in the public interest. Any restriction of these rights posed by refusal/ approval of the application is legitimate since it is proportionate to the wider benefits of such a decision, is based upon the merits of the proposal, and falls within the margin of discretion afforded to the Council under the Town & Country Planning Acts.

The Crime and Disorder Act 1998 imposes (without prejudice to any other obligation imposed on it) a duty upon the Council to exercise its functions and have due regard to the likely effect of the exercise of its functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. In so doing and on making planning decisions under the Town and Country Planning Acts, the material Planning considerations shall have

due regard to the provisions of the Crime and Disorder Act 1998 and its implications in the exercise of its functions.

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Policy

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be

considered on their impact on amenity and safety.

The Framework states the quality and character of places can suffer when advertisements are poorly sited and designed.

The Framework also states that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. These matters are considered in the sections below.

UDP Policy EN1/2 - Townscape and Built Design seeks to protect the character and townscape of the boroughs towns. PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

Amenity

NPPF Paragraph 141 states that 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, taking account of cumulative impacts.

UDP Policy EN1/9 relates to adverts and signage and states that proposals should have regard to the character of the locality, scale of the existing building and land use and be considered on their impact on amenity and safety.

UDP Policy EN1/4 - Street Furniture states that the Council will encourage the provision of suitably located and well designed street furniture which satisfies the requirements of pedestrians, shoppers and other uses and enhances the character and appearance of the urban street scene including open spaces.

UDP Policy EN1/2 - Townscape and Built Design seeks to protect the character and townscape of the boroughs towns.

PfE Policy JP-P1 Sustainable Places aims to promote a series of beautiful, healthy and varied places.

The A58 Angouleme Way is a strategic route providing a ring road around Bury Town Centre. UDP Policy EN1/7: Throughgates and Gateways seeks to improve the quality of development on throughroutes and at gateways and requires any new proposals fronting major throughroutes and at the gateways to display a high standard of design and landscaping.

The proposed digital screens would be associated with a BT smart hub which is under consideration by the Local Planning Authority under planning application 72036.

The proposed digital display unit would be a modern version of communicating adverts which have become more commonplace in public locations and shopping areas. As such it is considered the siting and position of the Hub would not conflict with the immediate street scene context of the retail park adjacent to the application site or the appearance of the area.

The proposed Hub would not be sited in direct view of any existing digital display screens and as such would not add to proliferation in the streetscene.

Maximum luminance levels of the screens would not exceed 2500 cdm² during daytime hours and 300 cdm² at night. In this respect these luminance levels would be in accordance with the industry standards taken from the ILP Professional Lighting Guide. This would be considered acceptable within this shopping environment.

There are no residential properties which would be affected.

This proposed site is located adjacent to a building on the adjoining retail park on a stretch of public footpath, which includes a bus shelter and pedestrian guard rails. Its siting would therefore be seen in context with the adjoining retail park and street furniture so would not cause demonstrable harm to visual amenity. It is therefore considered the proposed development would comply with the policies referred to above.

Public Safety

In addition to the policies set out above PpE Policies JP-C5 and JP-C6 require streets to be well designed and managed to make a significant positive contribution to the quality of place and support high levels of walking, cycling and public transport.

The proposed advertisement would be located on the adopted highway to the south of an existing bus stop.

The applicant has submitted amended plans showing clearly that the proposed adverts would be located approximately 9.4m from the bus stop and has carried out a Driver Distraction Assessment (DDA) which states that the unit has been positioned following careful consideration of the TfL Guidelines, and specifically, that the siting would achieve the following:

- There would be no conflict with any traffic signs, signals, crossing points, schools, hospitals or low bridges.
- No sightlines or clearances would be affected.
- The TfL guidance states that 'Static digital advertising is likely to be acceptable in locations where static advertising exists or would be accepted.' There is existing traditional advertisement on similar sections of the respective roads in many cases.
- The geometry of the roads is not complicated, and the driving conditions are not considered to be demanding or complicated.
- The advertisements would not be experienced by a driver in conjunction with any other similar digital advertisements.
- As per the TfL guidance, the advertisements would be located as close to the drivers natural eye line as possible and facing as head-on to the traffic as is practical.

The displays achieve the following illumination levels and frequency of displays, as recommended in the TfL guidelines:

- Day time illumination levels at 5000 cd/m²
- Nighttime illumination levels at 300cd/m²
- 10 second interval advertising displays.

In addition, the road safety record indicates that there are no prominent highway safety concerns within close proximity of the application site.

The Traffic Section has objected for a number of reasons - the proposal would create an unnecessary obstruction of the highway, would reduce the available width of the highway, adverse impact upon future highway redevelopment proposals and plans contain insufficient information in relation to the removal of existing phone kiosks.

The proposed development would maintain a pavement width of 3.765 metres and as such, there would be sufficient space for pedestrians. The applicant has been made aware that the proposed hub may need to be relocated as part of the redevelopment proposals for the adjacent interchange, although an application for this has not yet been submitted.

Given the above, it is considered that the proposed development would not have a material impact upon driver distraction, highway safety or public safety. Therefore, the proposed development would be in accordance with Policies EN1/9 of the Bury Unitary Development Plan and JP-C5 and JP-C6 of the Places for Everyone Joint Development Plan.

Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Approve with Conditions

Conditions and Reasons:

- 2 The development must be begun not later than three years beginning with the date of this permission.
Reason. Required to be imposed by Section 91 Town & Country Planning Act 1990.

- 3 This consent relates to the following plans:

Drawing ref. BRY-113 Rev. B: Proposed Site Plan; and,
Drawing no. BRY-113 Rev. B: Proposed Side Elevations

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason. For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the Bury Unitary Development Plan, the Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.

- 5 a) The luminance levels of the free standing sign hereby approved shall not exceed 2500 cd/m² during daylight hours or 600 cd/m² at any other time to accord with the recommendations of the ILP publication 'PLG05 The Brightness of Illuminated Advertisements' (2015).
b) The luminance level of the digital sign shall be controlled by a light sensor to adjust the screen brightness to reflect the ambient levels during the daytime and set to a maximum brightness of 600Cdm² during hours of darkness to accord with the recommendations of the ILP publication 'PLG05 The Brightness of Illuminated Advertisements' (2015). In the event of breakdown or malfunction the screen will automatically switch off.
c) "The advertisement shall display no special visual effects of any kind during the time that the advertisement is displayed or on transition between advertisements. The displayed image shall not include animated, flashing, scrolling, intermittent or video elements and the transition between successive images shall not include fading, swiping or other animated transition method.
d) The minimum display time for each piece of content on the digital display screens shall be 10 seconds.
e). The interval between each piece of content on the digital display screens shall take place over a period no greater than one second; the complete screen shall change with no visual effects (including swiping or other animated transition methods) between displays
f) Should a fault be detected or reported with the screen or advertisement, the screen

will be programmed to automatically switch to a blank screen with black background.

Reason. To avoid undue distraction and visual intrusion within the street scene pursuant to Policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 6 (a) No individual advertisements displayed on the LCD 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.

Reason. To avoid undue distraction to traffic in the interests of road safety, and to protect the amenity of adjoining occupiers pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan and Policies JP-C8: Transport Requirements of New Development of the Places for Everyone Joint Development Plan.

- 7 The Express Consent hereby granted expires 5 years from the date of this decision.

Reason. The development is of a temporary nature only pursuant to Bury Unitary Development Plan Policy EN1/9 - Advertisements.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	10/08/2025	DM	20/08/2025