

3 May 2022

Bury Metropolitan Borough Council
Development Control,
The Planning Service,
3 Knowsley Place,
Bury,
BL9 0EJ

CCUK Ref: 13216/BP
Planning Portal Ref: PP-11216178

Dear Sir/Madam

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

FLANK WALL OF 10 TOTTINGTON ROAD, BURY BL8 1LH

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

The application comprises the following documents and drawings:

- Application Form
- Site Location Plan
- Site Block Plan
- Existing Elevations
- Proposed Elevations
- Proposed Specifications
- Existing View
- Proposed View

The fee of £462 will be submitted via the Planning Portal under the relevant reference.

THE APPLICATION SITE

The application site comprises the flank wall of 10 Tottington Road. The wall and adjoining land were previously occupied by illuminated poster advertisements, displayed with deemed consent.

This application seeks consent for an internally illuminated 48-sheet (6m by 3m) digital poster display to be mounted on the flank wall. Such advertisements are now increasingly common as the advertising industry moves towards more flexible and sustainable media platforms.

Clear Channel propose to operate the display in accordance with conditions and limitations used industry wide, part of the Outsmart (2021) roadside advertising code. Hence, the proposed advertisement will not detract from local amenity or pose a material risk to public safety, as required by the Regulations.

THE PROPOSED ADVERTISEMENT

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

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

The display would be illuminated to levels that accord with the recommendations of the Institute of Lighting Professionals (“The Brightness of Illuminated Advertisements” PLG05, 2015); this guidance is accepted as canon by local authorities across the UK.

It states that the uniformity of luminance across a display area must be kept within reasonable limits to ensure a pleasing and effective result. “Pleasing” should be satisfactory in the interests of amenity; “effective” can be taken to be legible and clear.

Its recommended maximum luminance levels for illuminated advertisements at night (or hours of darkness) are in Table(s) 3 and 4 of the document, summarised as follows:

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

Recognising the changing levels of ambient light throughout the day, PLG05 states that digital displays should never exceed 5000 candela/sqm (cd/sqm). Hence, the display is controlled by an ambient light sensor system which regulates the brightness of the display, taking into account the changing dawn and sunset times throughout the year.

The proposed advertisement adjusts its output according to the prevailing levels of ambient light, up to 3000 cd/sqm luminance on the brightest of days. While 3000

cd/sqm is the maximum threshold, average luminance of bright colours within advertisements on the brightest of days is around 2500 cd/sqm; on dull overcast days, average luminance of bright colours within advertisements is around 375 cd/sqm.

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

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

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

- i. During periods of darkness, the luminance level shall not exceed 300 candela/sqm as advised by the Institute of Lighting Professionals' publication PLG05 (2015): "The Brightness of Illuminated Advertisements", or any publication replacing or superseding this guidance;
- ii. The screen display shall only show two dimensional static images, shall contain no moving images, animation, video or full motion images and no messaging should spread across more than one screen image;
- iii. The display shall be switched off between the hours of 23.00 and 05.00;
- iv. The advertisement display shall not change more frequently than every 10 seconds; and
- v. The illumination of the advertisement shall not at any time be intermittent.

POLICY FRAMEWORK

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

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

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

The Framework states that great weight should be given to outstanding of innovative designs which promote high levels of sustainability, consistent with the emphasis that

local planning authorities should respond positively to changes and innovations offered by new technology.

Digital poster displays are a more efficient and sustainable media platform compared to their more traditional paper or vinyl counterparts. Whereas their content remains in situ until it is (manually) changed, the proposed advertisement's remote operation removes the need for frequent site visits and reliance on non-renewable resources.

PLANNING BALANCE

The PPG advises that the local characteristics of an area should be considered when assessing amenity, including the presence of any feature of historic, architectural, cultural or similar interest. The site is not within a conservation area, nor are there any listed buildings are present that warrant special consideration.

Sited near the busy and commercial area of Crostons Road and having been host to advertisements for more than a decade, the proposed advertisement would not look alien or discordant.

As was the case in the past with other adverts, main views of the site would be appreciably limited to those headed north, and the massing of the flank wall can accommodate an advert of this size without it appearing excessive in scale.

In a wider sense, the advertisement would be illuminated to levels that accord with PLG05 and calibrated to achieve the same effect as a typical poster display. Subject to the conditions and limitations set out above, therefore, the advertisement would unlikely add so significantly to the existing level of illumination within the area that it would be detrimental.

On balance, therefore, the proposal would sit comfortably in its visual context and would have no discernible impact on the existing character and appearance of the area.

With regards public safety, the PPG states that all advertisements are intended to attract attention and there are less likely to be issues if they are located in commercial areas or where advertisements have been traditionally displayed.

The display would be visible mainly to those travelling north. Tottington Road is well-lit and limited to 30mph. The advertisement would be internally illuminated and would sequentially show static images rather than moving images or animation; all are to be secured by condition to ensure compliance.

There are no unusual complexities here, and the site's offset and elevated position ensures it would not obscure any sightlines or interfere with the clarity of the highway's infrastructure, as desired by the PPG.

In these circumstances, therefore, it would not constitute a potentially hazardous distraction to anyone exercising a reasonable standard of care.

SUMMARY

The proposal submitted reflects the applicants' preferences.

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

I look forward to receiving confirmation that the application has been validated.

If you require additional information or clarification, please do not hesitate to contact me.

Yours faithfully

Ben Porte

Planning Manager

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