

DELEGATED REPORT

Report by Charlotte Orrell	Date of report: 08/05/2026	Ref: 73038/ADV
Registration: 30/03/2026	LDFC: 06/05/2026	Expiry Date: 25/05/2026
Site Visit: 01/05/2026	Site Notice: N/A	Press Date: N/A
Objections:	Con Area:	Adv Type: N/A
Reason for Delay:		EIA: NA
N/A		Dec Level: DEL
		Stat Class: ADVT

Proposal: Erection and display of 2no. wall-mounted 6 x 3 metre internally illuminated LED display units

Location: Former Floors-2-Go building, Bolton Street, Bury, BL9 0JA

Description

The proposal relates to a two storey commercial building on the southern side of Bolton Street. The site is bound to the east by Millett Street and to the west by trees. To the south, there are further commercial buildings.

The proposal is to introduce 2no. wall-mounted 6.2 x 3.2 metre internally illuminated LED display units on the eastern and western elevation of the building. The boards would be sited approximately 5.1m from ground level, and would have a maximum illuminance level of 300cdm². They are also proposed to be switched off between the hours of 11pm and 6am.

Relevant Planning History

64854 - 2 No. Internally illuminated digital advertisement display units to front and rear elevations - Approved with conditions 04.02.2020

Publicity

None

Statutory/Non-Statutory Consultations

- Traffic Section - no objection
- Transport for Greater Manchester - From a review of the location, the signs are offset from the carriageway and therefore not within the direct eyeline of drivers. Additionally, there is no impact on any traffic signals. As such, TfGM have no comments in respect of the proposals.

Pre-start Conditions - Not relevant

Development Plan and Policies

EN1/9	Advertisements
NPPF	National Planning Policy Framework
EN1/2	Townscape and Built Design
PFE	Places for Everyone

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 PpE 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.

UDP Policy EN1/9 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 NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built natural environment, but that the control over outdoor advertisements should be efficient, effective and simple in concept and operations.

Visual Amenity

The proposed is a resubmission of that granted under application 64854, decided in February 2020 but which was not implemented.

The site lies on Bolton Street at the corner of Millett Street, within a predominantly commercial area. The signs would be on the eastern and western sides of the building, approximately 5.1m from ground level and would be 6.2m x 3.2m.

The surrounding area is characterised by buildings featuring advertisements given the character of the area and so it is not considered these adverts would cause any further impact.

It is therefore considered the proposal would be compliant with the requirements of the above UDP policy and of the NPPF.

Safety

The signs are located where they would not cause hazard to pedestrians. Illuminance levels are noted to be 300cdm² which would be acceptable.

TFGM were consulted who commented that from a review of the location, the signs are offset from the carriageway and therefore not within the direct eyeline of drivers. Additionally, there is no impact on any traffic signals.

The proposal would not impact upon public safety and would comply with the above UDP Policy and the NPPF.

Residential Amenity

The nearest residential dwellings are sited over 50m away, with an indirect relationship. This would cause no impact, therefore is considered acceptable.

Statement in accordance with Article 35(2) Town and Country Planning (Development 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:

- 1 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.
- 2 This decision relates to drawings:

East-facing Elevation, drawing number BBSMS3, dated 28.03.2026
West-facing Elevation, drawing number BBSMS3, dated 28.03.2026
Fixings, drawing number BBSMS3, dated 28.03.2026
LED Tile Layout, drawing number BBSMS3, dated 06.05.2026
Cross Section, drawing number BBSMS3, dated 06.05.2026
Proposed Site Plan, drawing number BBSMS3, dated 26.03.2026
- 3 The intensity of the illumination of the advertising units permitted by this consent shall at all times accord with the thresholds set out in the Institute of Lighting

DELEGATED REPORT

Professionals publication "The Brightness of Illuminated Advertidesments" (PLG05:2015) and be equipped with an ambient/Photo cell sensor which shall monitor ambient light conditions and adjust the brightness accordingly.

Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 4 The LED screen displays shall not change more frequently than every 10 seconds and the rate of change would be instantaneous.

Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 5 The sequencing of messages relating to the same product is prohibited.

Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 6 The interval between successive displays shall be 0.1 seconds or less.

Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 7 The levels of luminance of the LED screen displays shall not exceed 420cd/m2 during daylight hours or exceed 300cd/m2 during twilight and night hours; as defined by official lighting up times.

Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 8 The LED screen displays shall only show two dimensional static images, shall contain no moving images, animation, video or full motion images or any images that resemble road signs, traffic lights or traffic signs and no messaging should spread across more than one screen image.

Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 9 The illumination of the LED screen displays shall not at any time be intermittent.

Reason. To avoid undue distraction to traffic in the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 10 A mechanism shall be in place so that if the LED screens break down, they default 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 pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

<u>Case Officer</u> CO 08.05.2026	<u>Date</u>	<u>Sign off Officer</u> DM 20.05.2026	<u>Date</u>
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