



STATEMENT OF CASE FOR THE APPELLANT

Appeal by: Elite Billboards

Site Address: Manchester Motor Mart, 115 Bolton Road, Bury, BL8 2NW

Proposal: Installation of 1 No. billboard

Council planning reference: 71209/ADV

January 2025

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1. Introduction

The Appeal

- 1.1 This Statement of Case has been prepared by DPA Planning Ltd on behalf of Elite Billboards (the “Appellant”) in response to the refusal of an advertisement consent application for the installation of a single billboard (the “Proposed Development”) on 115 Bolton Road, Bury (the “Appeal Site”).
- 1.2 This appeal is submitted following the refusal of an advertisement consent application 71209/ADV on 19th November 2024.

Proposed Development

- 1.3 This appeal seeks to overcome the refusal of one digital marketing screen, at 6 metres wide and 3 metres tall, wall mounted at 2.5 metres above ground level.
- 1.4 The application was supported by a planning statement, a highway safety assessment along with site location, layout and elevation plans, which detailed the scale of the proposed development and suitability for the site.

Appeal Site

- 1.5 The appeal site is located on land west of Ashton Road and currently has traditional paper billboards.



Figure 1.1 : Appeal site in context

Statement of Case Structure

- 1.6 This statement is to be read alongside all previously submitted plans and documents.
- 1.7 This statement first briefly outlines any relevant policy considerations at both Local and National level before then responding directly to the reasons for refusal. This statement will then conclude by summarising the reasons why, on balance, we feel that the appeal should be allowed.

2. Planning Policy

Bury Local Plan

- 2.1 The current Bury Development Plan for Bury was adopted by the Council on 29th August 1997. The Council is now working to replace the adopted Unitary Development Plan with a new document called the Bury Local Plan. Until the new Local Plan is produced the saved policies of the Bury UDP will continue be used to make planning decisions.
- 2.2 Relevant saved policies from the UDP include:
- EN1/9 Advertisements

National Planning Policy and Guidance

- 2.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and is to be taken into account in all planning decisions. The framework provides a set of development management policies for advertising proposals.
- 2.4 Paragraph 141 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. It goes on to state that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
- 2.5 Planning Practice Guidance (PPG) relating to advertising displays was published in March 2014 and sets guidance on advertising proposals and the approvals process in England.
- 2.6 Factors relevant to considering amenity include the general characteristics of the locality, including the presence of any feature of historic architectural, cultural or similar interest (regulation 3 (2) a)) in the immediate neighbourhood are to be assessed in any proposal.
- 2.7 Within the PPG it is highlighted that advertisements 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

- 2.8 The guidance identifies several types of roadside advertisements that may impact on public safety, which include changing displays, moving displays, flashing lights and advertisements that resemble traffic signs.

3. Reasons for refusal

1. Detrimental impact to appearance of building and general visual amenity of area

- 3.1 The first reason for refusal as shown in the decision notice, puts forward that the Council believed the impact of the proposed development would have affected the building and wider area negatively.
- 3.2 This reason for refusal is contested by the appellant. The appeal site has previously supported an advertisement and the siting of the billboard on the proposed elevation would not harm the visual appearance of the building nor would it be of detriment to the amenity of the wider area, which is itself commercial in character.
- 3.3 With multiple street lighting the appeal site is well suited for a digital billboard. The scale and form of the billboard would not harm the visual amenity of the area, with the digital billboard appearing as a mimic of a paper board, not a brightly lit screen and at no point moving images of any form.
- 3.4 The location was supported by Transport for Greater Manchester who commented that the positioning of the digital sign is offset from the carriageway and not within direct eyeline of drivers. It is therefore taken that the proposed location is suitable and not in an overly prominent position and therefore is not harming the amenity of the wider area.
- 3.5 The appeal site does not fall within a conservation area nor is it an area of special control. There are no listed buildings within the local vicinity nor any other protected assets that would be otherwise disturbed by the proposed development. The setting of the surrounding area with multiple street lighting and commercial buildings is well suited for a digital billboard.

2. Insufficient information

3.6 The second reason for refusal stated that insufficient information was submitted. This reason is contested strongly by the appellant who submitted multiple elevation plans and site plans as well as supporting detail in the planning statement. For the avoidance of doubt the following plans were submitted in support of the application:

- BR001 Site Location Plan at A4
- BR002 Site Layout Plan at A3
- BR003 Proposed elevations (front and side) at A3
- BR004 Existing Elevations plan at A3
- BR005 Proposed Elevations plan at A3

3.7 For a small-scale advertisement application such as this, the supporting information clearly showed the location and size of the proposed development. Typically these applications have three plans submitted, however in the case of the application a pack of five plans was submitted including detailed south west elevations.

3.8 The level of detail provided was considered suitable for the Council Highways Officer and Transport for Greater Manchester to assess the proposed development and it is contested that the plans pack submitted along with the planning statement are insufficient for the determination of such an advertisement application.

4. Conclusion

- 4.1 The overarching message from policy and guidance is that there is not a presumption against roadside digital advertising, however where advertisements are more likely to affect public safety on roads, they will require more careful consideration and detailed analysis to ensure that no unacceptable conflicts will arise.
- 4.2 The appeal site will not obscure any road signs or signals and will not cause any clutter or harm to amenity by virtue of its automatically dimming illumination and the instantaneously changing advertisements which can be set to change at a level as via condition.
- 4.3 The addition of a temporary advertisement permitted for 5 years will bring an economic benefit to local businesses, who will be able to afford to present local advertisements on the digital billboard, rather than the more expensive paper option.
- 4.4 There are no other aspects to the appeal site which would otherwise be unacceptable in planning terms and it is therefore respectfully asked that this appeal be allowed and planning permission granted.