

DELEGATED REPORT

Report by Jane Langan	Date of report: 18/02/2026	Ref: 72655/ADV
Registration: 21/01/2026	LDfC: 11/02/2026	Expiry Date: 18/03/2026
Site Visit: 08/01/2026	Site Notice: N/A	Press Date: N/A
Objections: 0	Con Area:	Adv Type: N/A
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: ADVT

Proposal: Conversion of 1no. poster advertisement display to Digital Poster (internally illuminated)

Location: Gable of 2 Rochdale Old Road, Bury, BL9 7LQ

Description

The application relates to the end gable of No. 2 Rochdale Old Road. The area is mixed commercial and residential and Willow Street passes by the site before the junction with Rochdale Old Road. There is an existing 48 sheet panel advertisement at the site.

Advert consent is sought for the replacement of the existing panel advertisement with a new 48 sheet wall mounted LED digital screen that measures approximately 3 metres by 6 metres, positioned such that the bottom of the advertisement would be approximately 2.8m above ground level.

The control mechanisms in place enable the D-Poster to mimic a traditional 48 sheet poster during the day and ensure that it is muted and at a suitable contrast to the ambient light at night time. Content is controlled remotely in real time from a Network Operation Centre and the sites are monitored remotely 24/7 to facilitate responsive maintenance. Only static images would be displayed and adverts would change no more frequently than once every ten seconds. The proposed display would be limited to 300cd/m² at night time in accordance with the Institute of Lighting Professional's (ILP) Technical Note 5 'The Brightness of Advertisements including digital displays' (2023).

Relevant Planning History

66408 - Replacement of existing non-illuminated 48 sheet billboard with internally illuminated digital display D-poster sign - AC 16/03/2021

Publicity

None.

Statutory/Non-Statutory Consultations

Traffic Section - Recommend refusal on highway safety grounds of driver distraction and visibility.

Transport for Greater Manchester - Raise concerns regarding driver distraction in relation to the nearby pedestrian crossing.

Pre-start Conditions - Not relevant.

Development Plan and Policies

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.

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 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. Only

those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the Local Planning Authority's detailed assessment.

Amenity - The proposed advertisement would replace an existing poster sign of the same size and position and so the principle is established. It is also noted that a digital screen of the same size position and luminance was approved at the site on 16/03/21.

The site is an end terrace with residential properties across Willow Street to the side and a commercial building opposite set some way back. None of the adjacent dwellings have windows opposing the site. There are advertisements of various scales at locations along Rochdale Old Road. Whilst the proposed sign would have some prominence in the street scene due to the nature of the LED screen, the proposed display would be of similar dimensions, and would occupy broadly the same position on the site as the existing advertisement. The proposed signage is considered to be suitably aligned and would not have any unacceptable impacts upon neighbouring and general amenity.

Safety - The application was submitted without a Driver Distraction Assessment (DDA). This is a requirement of the councils advert validation checklist, and was requested, however the agent has declined to submit an assessment as they consider this application a renewal of application 66408.

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 Regulation 9. Applications for express consent states that :

(5) Where the application is one to which directions given by the Secretary of State under regulation 11 apply, the applicant shall send with the application (whether electronically or otherwise) such particulars, plans or information specified or referred to in those directions as may have been notified to the applicant by the local planning authority.

(10) This regulation applies to applications for renewal of consent as it applies to applications for consent.

(11) An application for the renewal of an express consent may not be made more than 6 months before the date on which the consent is due to expire.

Noting that there was no specifically reduced timeframe within which to implement the previous approval, consent is normally for 5 years. However, the proposal does not confirm that the sign is to be the same and could be potentially a different sign and the Driver Distraction Analysis would demonstrate whether circumstances around the site have changed since the original consent given the lapse in time.

Transport for Greater Manchester (TfGM) have safety concerns over the location of the proposed digital display noting that the display will be sitting right in front of the traffic signal head for the nearby pedestrian crossing and the lit sign could affect the visibility of the signal for drivers or cause drivers to be distracted.

The Council Highways Section have responded that the location of the proposed digital display, positioned in front of the traffic signal head for the nearby pedestrian crossing, would adversely affect visibility of the signal for drivers and cause drivers to be distracted, which would be detrimental to highway safety. As such they recommend refusal.

Whilst it is noted that the previous application (66408) was approved, and the Highways Section and Transport for Greater Manchester did not raise any objections at that time, the DDA provided on this previous application was dated August 2019 and was not bespoke to the actual site. Given the time that has elapsed, and no current DDA, this application is dealt with on its current merits and the information provided. In conclusion, the application does not provide sufficient detail to demonstrate that the proposal would not be detrimental to public and highway safety.

The proposal is contrary to UDP Policy EN1/9 - Advertisements.

Statement in accordance with Article 35(2) Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2015

The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

Recommendation: Refuse

Conditions and Reasons:

- 1 The location of the proposed digital display, positioned in front of the traffic signal head for the nearby pedestrian crossing, would adversely affect visibility of the signal for drivers and cause drivers to be distracted, which would be detrimental to highway safety. The proposal is therefore contrary to UDP Policy EN1/9 Advertisements and The Town and Country Planning (Control of Advertisements) (England) Regulations 2007,
 - PART 1
 - Regulation 3Powers to be exercised in the interests of amenity and public safety

- 2 The application provides insufficient information on the impact of the advertisement with regard to highway safety in that no Driver Distraction Assessment has been provided. The proposal is therefore contrary to UDP Policy EN1/9 Advertisements and The Town and Country Planning (Control of Advertisements) (England) Regulations 2007,
 - PART 1
 - Regulation 3Powers to be exercised in the interests of amenity and public safety.

<u>Case Officer</u> JL 18/2/26	<u>Date</u>	<u>Sign off Officer</u> DM 18.02.2026	<u>Date</u>
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