

DELEGATED REPORT

Report by Claire Booth	Date of report: 02/06/2026	Ref: 72996/ADV
Registration: 08/04/2026	LDFC: 01/05/2026	Expiry Date: 03/06/2026
Site Visit:	Site Notice: N/A	Press Date: N/A
Objections:	Con Area: N/A	Adv Type: PI
Reason for Delay: N/A		EIA: NA
		Dec Level: DEL
		Stat Class: ADVT

Proposal: Free standing internally illuminated advertisement digital display unit

Location: Shell Petrol Station, Middleton Road, Manchester, M8 4LY

Site Location and Description of Development

The application site is an existing Shell service station that is location on the west side of Middleton Road adjacent to Middleton Road Service Road. It consists of a forecourt with 4 pump islands, canopy and a sales building with an ATM on the frontage.

The site measures 0.12ha.

There are commercial properties adjacent to the site along the Service Road and directly opposite the application site on the opposite side of Middleton Road. Houses abut the rear/ west of the rear of the application site and the south of the site. The first floor of no. 281 Middleton Road has planning approval to become

Advertisement consent is sought for one freestanding D6 small format advertising display which would exhibit static advertisements on rotation within the Petrol Station forecourt and that would be sited along the northern boundary of the site.

The proposed D6 small format advertisement display would measure 1.23m(w) x 2.4m(h) x 0.22m (d). The proposal includes the removal of one non-illuminated freestanding display panel on a single support post from the forecourt that is positioned along its northern boundary.

Relevant Planning History

56443 - Single storey extension to existing shop; additional parking and underground works
- Refused, 27/08/2013

56862 - Single storey extension to existing shop and underground works (Resubmission of 56443) - Approved with Conditions 19/12/2013

281 Middleton Road

69329 - Change of use of existing public house (Sui Generis) to Podiatry Clinic(Class E(e)) on ground floor and 4 bed HMO (house in multiple occupation) at first floor (Class C4) including two storey extension at side/rear, alterations to roof layout of existing rear outbuilding; formation of new first floor access and door at rear with external staircase and render to external elevations - Approved with Conditions Approved with Conditions, 17/04/2024

Publicity

Not applicable

Statutory/Non-Statutory Consultations

Traffic Section - No objections, subject to conditions ensuring a safe level of illumination,

the timing of interval between successive displays, and ensuring the digital display will never operate intermittently.

Transport for Greater Manchester - No objections

Pre-start Conditions - Not applicable.

Development Plan and Policies

S1/5	Neighbourhood Centres and Local Shops
S4/4	Car Showrooms, Car Sales Areas and Petrol Filling Stns
EN1/7	Throughroutes and Gateways
EN1	Built Environment
EN1/9	Advertisements

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.

The legislative framework for the control of advertisements is contained within The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (the "Regulations"). Regulation 3 states that advertising should be controlled in the interest of amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.

The National Planning Policy Framework 2024(NPPF) 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 thus considered below:

Amenity

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.

NPPG Paragraph 79 states that the Local Planning Authority should consider the local characteristics of the neighbourhood, and whether the proposal is considered to be in scale and in keeping with those features.

The proposal site is located within the wholly commercial entity of the Petrol Filling Station located off Middleton Road (A576), and the D6 small format advertisement display would be positioned within that site boundary against the northern boundary of the site with 281 Middleton Service Road.

The removal of the non-illuminated freestanding display panel mounted on a single support post and its replacement with a small format advertising display cabinet would result in a visual enhancement to this site, given the proximity of the proposed advertisement to the illuminated Totem sign. The proposal is therefore acceptable in this respect.

Public Safety

NPPG Paragraph 67 states that all advertisements are intended to attract attention, but proposed advertisements at points where drivers need to take more care are likely to affect public safety.

The proposed advertisement would be sited on the northern boundary of the site and would therefore face towards the Petrol Pumps on the forecourt. Therefore it will primarily be seen by users of the Petrol Filling Station, however when the forecourt at the Petrol Station is clear of vehicles either partly or entirely, the proposed digital display would be visible from Middleton Road when motorists are travelling in a northerly direction towards Junction 19 of the M60.

As Middleton Road is a key transport route in the adjoining authority, Transport for Greater Manchester have been consulted. They raise no objections to the proposal.

The Local Highway Authority (Bury Council) have also reviewed the proposal and raise no objections to the proposed advertisement, subject to conditions restricting, amongst other things, the level of illumination, its frequency of movement, requiring static images and ensuring the digital display does not operate intermittently. All conditions are required to

ensure that the proposed advertisement does not detract drivers, in the interests of highway safety.

Subject to the above-mentioned planning conditions, the proposal is acceptable in this Public Safety regard.

Conclusions

Subject to the recommended planning conditions, the proposed advertisements would not have a detrimental impact on amenity or public safety and is therefore considered acceptable. It is thus recommended the amended proposals be given consent.

As well as the recommended planning conditions, all adverts are subject to the national standard advertisement conditions.

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 This consent relates to the following plans:

Drawing no. 26633/PA/01: Location Plan;
Drawing no. 26633/PA/03: Proposed Site Plan;
Drawing no. 26633/PA/04: Proposed Site Plan,
Drawing no. 26633/PA/05: Existing & Proposed Elevations;
Drawing no. 26699/PA/06: Specification; and,
Drawing no. 26633/PA/07: CGI Before and After.

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 Local Plan, the Greater Manchester Places for Everyone Plan and the National Planning Policy Framework.

- 2 The development hereby approved shall not be commenced unless and until full, dimensioned details of the position of the proposed installation relative to the limits of the adopted highway along with a method statement/traffic management plan for the erection of the digital LED screen immediately adjacent to the B6213 Tottington Road, incorporating appropriate traffic management arrangements, pedestrian protection measures and retention of adequate pedestrian facilities/access arrangements on the Tottington Road footway that abuts the site, has been submitted to and approved by the Local Planning Authority. The details and measures subsequently approved shall be implemented to the satisfaction of the Local Planning Authority and maintained for the duration of the works that affect the adjacent adopted highway.

Reason. In the interests of pedestrian and road safety pursuant to Bury Unitary Development Plan Policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 3 Prior to the commencement of development, the advertisements, posters and signage displayed on the fencing and within the area of the grassed verge located within the red edge location plan shall be removed from site and shall thereafter be permanently maintained free of any advertisements, posters and signage.

Reason. In the interests of visual amenity pursuant to Bury Unitary development Plan policies_EN1/2 - Townscape and Built Design and EN1/9 - Advertisements.

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

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.

- 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 and to protect the amenity of adjoining occupiers 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 and to protect the amenity of adjoining occupiers pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 7 The advertising display panel shall have a default mechanism to freeze an advertisement in the event of any malfunction.

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.

- 8 The luminance of the advertisement hereby permitted shall comply with the levels and recommendations set out in the Institute of Lighting Professionals publication "The Brightness of Illuminated Advertisements" (PLG05 2015) or any document amending or superseding that report. The level of luminance of the advertisement shall be controlled by light sensors that measure ambient light levels and automatically control the perceived brightness to within these limits. The luminance of the LED screen display shall not exceed 300cd/m2 during twilight and night hours.

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.

- 9 The LED screen displays shall only show two dimensional static images for the lifetime of the development, shall contain no moving images, strobe lighting effects, 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 and to protect the amenity of adjoining occupiers pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

- 10 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 and to protect the amenity of adjoining occupiers pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

DELEGATED REPORT

- 11 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 and to protect the amenity of adjoining occupiers pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>
CB	02/06/2026	DM	02.06.2026