

DELEGATED REPORT

Report by Jane Langan	Date of report: 19/06/2026	Ref: 73102/ADV
Registration: 20/04/2026	LDFC: 29/05/2026	Expiry Date: 15/06/2026
Site Visit: 08/01/2026	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: 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) Guide PLG 05/23 and the screen would be switched off between the hours of 0000-0500hrs.

Relevant Planning History

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

72655 - Conversion of 1no. poster advertisement display to Digital Poster (internally illuminated) - Refused 18/02/2026

Publicity

None.

Statutory/Non-Statutory Consultations

Transport for Greater Manchester - Raise concerns regarding driver distraction in relation to the nearby pedestrian crossing. Recommend an additional secondary traffic signal head at the pedestrian crossing.

Traffic Section - Recommend refusal on highway safety grounds of driver distraction and visibility as the pre start condition has not been agreed.

Pre-start Conditions - The agent has not agreed with the pre-start condition for signal head.

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.

Background - A previous application 66408 was approved 16/03/21, and the Council Highways Section and Transport for Greater Manchester (TfGM) did not raise any

objections at that time.

A further application 72655 was submitted and refused 18/02/26 as no up to date Driver Distraction Assessment (DDA) was provided as the agent considered it a resubmission and declined to provide one.

A bespoke DDA has been submitted with this application.

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 - Public safety is defined as matters having a bearing on the safe use and operation of any form of traffic or transport, including the safety of pedestrians.

Transport for Greater Manchester (TfGM) reviewed the proposal and raised concerns with the visibility of the secondary traffic signal head for eastbound traffic on Bell Lane. They recommend an additional secondary traffic signal head is provided at the crossing to improve visibility of the signals for drivers. The approximate cost would be £1250.

This was proposed to the agent as a pre commencement condition however they disagree with the condition. Notice was provided concerning the condition on 21 May 2026 giving the wording of the condition and reason for it and their substantive response was received 28 May 26. They consider that a detailed Highway Safety Report was submitted which directly assesses the relationship between the proposed display and the nearby signalised pedestrian crossing and concludes that there is no conflict between the advertisement and the traffic signal infrastructure in terms of visibility or driver distraction.

On this basis that the pre commencement condition is not agreed the Councils Highways Section in consideration of the advice provided by TfGM and their own considerations, have recommended refusal.

In conclusion, the scheme could be acceptable with the inclusion of the condition for the additional traffic signal head and the conditions as attached to the previous approval (66408) then the proposal would comply with UDP Policy EN1/9 - Advertisements and the NPPF.

As such these conditions are attached and the applicant will have the choice of implementation of the pre commencement condition or right of appeal to it should they disagree with the decision or seek to vary the condition. This is considered a more reasonable option to a refusal at this stage.

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

The proposal complies with the development plan and would improve the economic, social and environmental conditions of the area. It therefore comprises sustainable development and the Local Planning Authority worked proactively and positively to issue the decision without delay. 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 A scheme shall be submitted to and approved in writing by the Local Planning Authority for the provision of an additional secondary traffic signal head at the pedestrian crossing. The approved scheme shall be implemented before the development is commenced.
Reason. In the interests of road safety pursuant to policy EN1/9 - Advertisements of the Bury Unitary Development Plan.
- 2 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 pursuant to policy EN1/9 of the Bury Unitary Development Plan.
- 3 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 of the Bury Unitary Development Plan.
- 4 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 of the Bury Unitary Development Plan.
- 5 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 pursuant to policy EN1/9 of the Bury Unitary Development Plan.
- 6 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.
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 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 pursuant to policy EN1/9 of the Bury Unitary Development Plan.
- 8 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 of the Bury Unitary Development Plan.
- 9 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 of the Bury Unitary Development Plan.

<u>Case Officer</u>	<u>Date</u>	<u>Sign off Officer</u>	<u>Date</u>

DELEGATED REPORT

19/6/26 - JL

DM 19/6/26