



Paul Butler Associates
Planning, Development & Heritage Consultants

Vision Advertising

Union Street Car Park: Advertisement
Consent

Planning Statement

22 December 2022

Paul Butler Associates, 31 Blackfriars Road, Salford, Manchester M3 7AQ
t. 0161 835 3530 | e. pba@paulbutlerassociates.co.uk | w. www.paulbutlerassociates.co.uk

Professional Planning, Development & Heritage Advisors since 1992.

Our professional staff are Members of the Royal Town Planning Institute (RTPI) or the Chartered Institute for Archaeologists (CIfA)

© Paul Butler Associates Ltd. All Rights Reserved.

Job Number: 22.1834

Project: Union Street Car Park

Client: Vision Advertising

File Name: Planning Statement

Document Preparation/Checking Record:

	Name and Qualifications	Position	Date
Prepared by:	Julian Austin BSc MPLAN MRTPI	Associate Director	19.12.2022
Checked by:	Tom Flanagan MTCP MRTPI	Director	20.12.2022
Issued by:	Julian Austin BSc MPLAN MRTPI	Associate Director	22.12.2022

Document Revision Record:

Issue No.	Date	Details of Revisions

Contents

1. Introduction
2. The Site and Surroundings
3. Planning Policy Context
4. Planning Appraisal
5. Summary and Conclusions

1. Introduction

Overview of Proposed Development

- 1.1 This Planning Statement is prepared by Paul Butler Associates on behalf of the applicant, Vision Advertising. The statement is submitted in support of an application for advertisement consent on land at Union Street Car Park.
- 1.2 The proposed advertisement will be located on land to the north-western edge of the Union Street Car Park, on the south side of St Mary's Gate.
- 1.3 The applicant seeks advertisement consent for the installation of one internally illuminated 48 sheet digital display unit. The advertisement would be 3 metres in height, 6 metres in width and mounted on a two steel support legs, 2.5 metres high. The sign would face in a westward direction.
- 1.4 The proposed advertisement would display static posters which would change at an interval of every 10 seconds. The advert would be internally illuminated to a level of 300 candelas / m².
- 1.5 As part of the application proposals it is proposed to remove two existing 48 sheet advertisements which sit 60 metres behind the location of the proposed advert when viewed from the west (the principal view that the advert would be viewed from). These two adverts are double sided and are located on the southern edge of the Union Street Car Park, adjacent to Hunter's Lane. The two advertisements to be removed are sited on land within the control of the landowner / applicant.

Documents submitted with the Planning Application

- 1.6 The planning application is accompanied by the following drawings:

- RSMWCS1REV1 Site Plan
- RSMWCS2REV1 Location Plan
- RSMWCSREV1 Specification Drawing
- RSMWCS4REV1 Before & After Visuals

Structure of this Statement

1.7 The remainder of this statement is structured as follows:

- Section 2 provides an overview of the development sites and the proposals which are the subject of this application.
- Section 3 sets out the key local and national planning policies of relevance to the scheme.
- Section 4 provides an assessment of the proposals against the key planning considerations.
- Section 5 provides a summary of the overall case for granting advertisement consent.

2. The Site and Surroundings

Description

- 2.1 The Union Street Car Park is accessed off Hunter's Lane, the car park lies immediately to the south of St Mary's Gate. The proposed advertisement will be located in the north-west corner of the car park next to St Mary's Gate. The entrance / exit to an underpass under St Mary's Gate is to the west of the proposed advert location. Cheetham Street Car Park, at a lower level than Union Street, is to the south of the proposed advert location.
- 2.2 Two double sided advertisement hoardings exist on the southern edge of the Car Park adjacent to Hunter's Lane, these are proposed to be removed as a compensatory mitigation measure. The two adverts are 48 sheet adverts and currently occupy a prominent position on Hunter's Lane. The two advertisements are clearly visible from St Mary's Gate and if retained would be visible in the backdrop of views of the proposed advertisement from St Mary's Gate.
- 2.3 A further internally illuminated advertisement exists on the north eastern corner of the Union Street Car Park (this replaced two large advertisement hoardings which existed in that location). The illuminated advert faces east directed at traffic travelling in a westerly direction.
- 2.4 130 metres to the east of the application site is another double sided advertisement hoarding adjacent to Whitehall Street. The United Carpets and Beds warehouse and showroom building occupies the plot between Union Street and Whitehall Street, the building has a high level of advertisements on its facades.
- 2.5 Cheetham Street is located to the south west of the site and contains a number of advertisements ranging in size and position on buildings, with many attached to the buildings above first floor level.

- 2.6 Union Street itself leads to Yorkshire Street and the row of premises all have advertisements displaying the name / services supplied at the premises. Yorkshire Street forms a key shopping street and contains a range of signage in terms of size, siting and means of illumination. Few traditional advertisements exist on this street.
- 2.7 The application site therefore resides within a bustling commercial area associated with the Town Centre of Rochdale where a high level of advertisements already exists. The presence of advertisements emphasises the commercial nature of the area and has become part of the established character of the area. Advertisements are prevalent in most views from St Mary's Gate looking south and are common place along street vistas. As is often the case, larger advertisements exist on the edge of this commercial area where they have the ability to attract the attention of motorists travelling along the St Mary's Gate route which encloses the town centre and its associated commercial activity.
- 2.8 The northern side of St Mary's Gate is outside of the town centre and does not associate with the commercial activity in the town centre. The St Mary's Gate route provides a physical separation between the town centre and the residential areas north of St Mary's Gate. In 2020, advertisement consent was approved for a double sided internally illuminated digital advert on Council owned land on the northern side of St Mary's Gate. The advert is located on informal open space, away from the commercial core of the town centre.

Conservation Area Designation

- 2.9 Historic England guidance¹ explains that Local Planning Authorities are under a positive legal duty to assess Conservation Areas and review them from time to time to consider whether areas are suitable for designation or should remain designated.
- 2.10 The guidance goes on to state that the more clearly the special architectural or historical interest that prompted designation is defined and recorded, the better local plan policies and development control decisions will be in achieving the objective of sustaining and

¹ <https://historicengland.org.uk/advice/hpg/has/conservation-areas/>

enhancing the area's character. The guidance also clearly states that: *Policies need to be developed which clearly identify what it is about the character or appearance of the area which should be preserved or enhanced and the means of achieving that objective.*

- 2.11 The site is located on the far north east boundary of the Town Head Conservation Area. Since it's designation in 2008, the Council have not reviewed the designation. Furthermore, the only public information available is a map of the Conservation Area. There is no Conservation Area Appraisal or Management Plan and therefore contrary to Historic England advice the Council have failed to define the special architectural or historical interest that prompted its designation. As is noted above the Historic England guidance recognises that the greater information and clarity there is regarding what defines the special architectural or historic interest of the Conservation Area then the better development control decisions will be. It therefore stands to reason that the less information there is regarding what constitutes the special architectural or historical interest of the Conservation Area, then the poorer development control decisions will be.
- 2.12 In the Town Head Conservation Area, this lack of an appraisal and management plan (which would clearly identify what it is about the character or appearance of the area which should be preserved and the means of achieving that objective) is reflected in the standard of development control, particularly along Yorkshire Street where no coherent approach to placemaking and advertisement control appears to exist.
- 2.13 The car park where the proposed advert is to be sited is remote from Yorkshire Street and it is difficult to see what it is about the car park locality that contributes to the character and appearance of the Conservation Area. Whilst the Grade II Listed St Mary's Ukrainian Church is in the eastern part of the Conservation Area, this is a considerable distance (approximately 200 metres) from the site and is separated by a significant amount of built form. The Conservation Officer commented in the previous officer report that the approach to the St Mary's Ukrainian Church is also compromised by existing adverts, highway paraphernalia and modern commercial buildings. It is also noted that the presence of the Church is not directly referenced in the reason for refusal (application ref: 22/01135/ADV).

- 2.14 The previous Officer Report does offer some insight into what the Council consider to be the special interest that defines the Conservation Area, the officer report states: “The significance of the conservation area is embodied within the rich Georgian townscape found in this area and the carpark itself makes little contribution to this.”
- 2.15 Photos of the application site and surrounding area are included below.



Fig 1: View towards car park / site location.



Fig 2: View of existing 48 sheet adverts to be removed.



Fig 3: View of car park locality.



Fig 4: View of proposed advert location, looking east. Advert on Council land / open space visible in frame.



Fig 5: View of St Mary's Gate looking west. Advert on Council owned land (open space) visible in left of frame.



Fig 6: Signage in the conservation area on Yorkshire St.



Fig 7: Signage in the conservation area on Yorkshire St.



Fig 8: Signage in the conservation area on Yorkshire St.



Fig 9: Signage in the conservation area on Yorkshire St.



Fig 10: Signage in the conservation area on Union St.

3. Planning Policy Context

Introduction

- 3.1 This section of the statement sets out the local and national planning policy context of relevance to the determination of this advertisement consent application. An appraisal of how the proposal relates to the key planning considerations relevant to the Site is set out in section 4 of this statement.
- 3.2 Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that a local planning authority shall exercise its powers under these regulations in the interest of amenity and public safety, taking into account:
- a) the provision of the development plan, so far as they are material; and
 - b) any other relevant factors.
- 3.3 Regulation 3(2) of the 2007 regulations goes on to state that:
- (a) factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest;
 - (b) factors relevant to public safety include—
 - (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

- (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3.4 In the case of Rochdale Council, the adopted Development Plan consists of the Core Strategy (adopted 2016) and the saved policies of the Unitary Development Plan (2006). Due consideration in the determination of the application will also need to be afforded to national policies in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) which both represent a significant material consideration.

Local Planning Policy

Policy P2 'Protecting and enhancing character, landscape and heritage'

3.5 The policy sets out that the Council will protect the borough's character, the distinctiveness of its town centres, housing areas and countryside, and the qualities of its landscapes. The policy goes on to discuss how they will conserve, enhance and promote key heritage assets including conservation areas.

Policy P3 'Improving design of new development'

3.6 The policy sets out a range of design principles which should be adhered to where relevant, these include:

- Enhancing the borough's identity and sense of place, by respecting context where it is positive and having regard to the scale, density, massing, height, layout, landscape, materials and access of surrounding buildings and areas in general;
- Ensure developments and spaces are safe to use and access (including lighting as appropriate);
- Design buildings and spaces so that quality and appearance can be maintained over time;

Policy DM1 'General development requirements'

3.7 The policy requires all development proposals to demonstrate that they comply with a number of criteria, of relevance:

- Are of high quality design and take the opportunity to enhance the quality of the area;
- Are compatible with surrounding land uses, both in terms of its impact upon those uses and the impact of the surrounding land uses upon the amenities of future residents / users;
- Mitigate against any impacts due to noise, air, dust, light and odour pollution, traffic generation or inadequate access, where such mitigation is identified as being necessary.

National Planning Policy

National Planning Policy Framework (NPPF)

3.8 Paragraph 136 of the NPPF states that: *The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.*

National Planning Practice Guidance (NPPG)

3.9 The NPPG provides specific guidance in relation to the control of advertisements and the considerations affecting amenity and public safety.

3.10 In respect of considerations affecting amenity, the NPPG explains:

So, in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

This might mean that a large poster-hoarding would be refused where it would dominate a group of listed buildings, but 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.

Paragraph: 079 Reference ID: 18b-079-20140306

- 3.11 In terms of considerations affecting public safety, the NPPG recognises that all advertisements are intended to attract attention, and distinguishes when public safety is an issue as follows:

...proposed advertisements at points where drivers need to take more care are more likely to affect public safety. For example, at junctions, roundabouts, pedestrian crossings, on the approach to a low bridge or level crossing or other places where local conditions present traffic hazards. There are less likely to be road safety problems if the advertisement is on a site within a commercial or industrial locality, if it is a shop fascia sign, name-board, trade or business sign, or a normal poster panel, and if the advertisement is not on the skyline.

Paragraph: 067 Reference ID: 18b-067-20140306

4. Planning Appraisal

Introduction

- 4.1 Application 22/01135/ADV was refused by Rochdale Council, with their view being that the advert would result in additional street clutter and illuminated signage would become an increasingly dominant feature of the streetscene and therefore the cumulative impact when combined with existing signs in the area would be harmful to visual amenity and the Conservation Area. No objections were raised to the proposals on the grounds of public safety.
- 4.2 This revised application proposes the removal of two double sided 48 sheet advertisements on the same car park in order to mitigate against the potential cumulative impact of the proposed scheme. We do not find the visual impact of the scheme to be harmful and the principle of illuminated signage is entirely appropriate given the proposed location adjacent to a main road and in a commercial area – a view supported by national planning guidance.
- 4.3 The key planning issues associated with the proposed application are examined under the headings of ‘visual amenity’ and ‘public safety’ below.

Visual Amenity

- 4.4 The area surrounding the application site is an area with an existing high level of advertisements in both the area around the car park and on the main shopping street (Yorkshire Street). Advertisements are therefore a common feature of the area. Digital illuminated advertisements are also commonplace, with one present 40 metres to the east of the site facing an easterly direction and another (double sided 48 sheet advert) approved on Council land 55 metres to the west, the latter advertisement being outside the commercial core, sited on informal open space / highway verge.

- 4.5 The Union Street Car Park should therefore be viewed as part of a commercial location where advertisements of all types are commonly found and where they have combined to form the established character of the area. Another illuminated advert here does not suddenly 'tip the balance' in terms of cumulative impact, it just becomes another similar feature within the streetscene.
- 4.6 Furthermore, to counter any concerns regarding accumulation of adverts, the removal of the two adverts adjacent to Hunter's Lane also provides a net reduction in advertisement facings. The two existing adverts are double sided so there is a reduction from effectively 4 no. 48 sheet adverts to 1 no. 48 sheet advert. If these large adverts were to remain they would be clearly visible in the backdrop of views of the new digital advert. The bulky plinth (previously proposed under 22/01135/ADV)) has also been replaced by two slim steep support legs. We feel that these changes reduce the overall visual effect of the new advert and mitigates against the potential for cumulative harm to arise. The effective reduction in advertisement space is a considerable benefit of the proposals.
- 4.7 It is not considered that there is any cumulative impact with the other digital advertisement on the Union Street Car Park as the two adverts will face in opposite directions so the illuminated display will never be experienced in the same view. With respect to the advert on Council land, whilst this will be visible in conjunction with the proposed advert it is not considered that this would be harmful. The proposed advert will align with the commercial character of the town centre and will merely appear as another illuminated feature within a well-lit / busy route through the town.
- 4.8 At this juncture it is also worth examining National Planning Practice Guidance which provides specific advice on when harm to visual amenity might be experienced. This states:

This might mean that a large poster-hoarding would be refused where it would dominate a group of listed buildings, but 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.

[Paragraph: 079 Reference ID: 18b-079-20140306]

- 4.9 In respect of the above guidance, whilst the listed St Mary's Ukrainian Church is present to the east of the site as noted earlier it is separated by a distance of 205 metres with intervening features such as street signage, street lighting, illuminated and non illuminated large adverts, a carpet warehouse building covered in adverts and extensive car parking. Because of this distance and visual separation, the advert is therefore not able to exert any significant visual impact over this building in terms of dominance. Rather the proposals clearly comply with the example of when a large advert should be permitted: the site is in a commercial area of a town centre next to large commercial buildings and a main highway where the advertisement would not adversely affect the visual amenity of the neighbourhood which is already typified by illuminated and non-illuminated advertisements in a variety of sizes.
- 4.10 In considering the above guidance, we also find that the visual impact of the scheme is not comparable to the impact of the double side illuminated advert on Council land to the west of the site. In our view, a degree of visual harm has been created by the installation of the Council land advert on account of its placing on informal open space away from the commercial core of the town centre. Whilst next to a main highway, it is outside of the commercial town centre area and is not viewed in the context of the commercial activity and plethora of commercial buildings to the south of St Mary's Gate. The illuminated advert on Council land appears incongruous in that location at present and the fact that the Council have permitted that application does not create a reason for refusing a more appropriately located advert on the south side of St Mary's Gate. In fact, the advert installed on Council land only serves to extend the commercial feel of the town centre across St Mary's Gate thereby ensuring that this new proposal is not incongruous with its surroundings. This also means that the proposed advert will help the advert installed on Council land appear less incongruous.

Heritage Impact

- 4.11 Inherent in the assessment of the impact on visual amenity is consideration of the impact on the built heritage environment. The key issues requiring consideration here are the impact on the Town Head Conservation Area and the impact on the St Mary's Ukrainian Church (Grade II listed building).

Impact on Town Head Conservation Area

- 4.12 In order to assess the impact on the character and appearance of the Conservation Area, it is first necessary to define the special architectural and historic interest of the area that means it should be preserved or enhanced. As noted earlier in this statement, there is no Conservation Area Appraisal or Management Plan for the Conservation Area and therefore the Council have not declared what elements of the area are important from a heritage perspective.
- 4.13 The previous officer report however states that the significance the Conservation Area is embodied within the rich Georgian townscape found in this area, but then states that the carpark itself makes little contribution to this. The Council in assessing the previous application then reached a conclusion that cumulatively the proposed advert in combination with existing adverts would detract from the character and appearance of the Conservation Area.
- 4.14 In light of the car park location not making any contribution to the special interest of the Conservation Area, it is considered to be a significant step to judge that harm arises from the advert. As has been set out above, the site is within a commercial area where adverts are commonplace. The combination of this advert with existing does not conceivably cause harm to the 'rich Georgian townscape' identified by the case officer which is centred on John Street and Yorkshire Street. The site location does not readily contribute to that townscape and therefore it will not cause harm to the special interest of the Conservation Area.

- 4.15 Notwithstanding the above view of the Council's previous assessment, the removal as part of this scheme of the two double sided 48 sheet adverts which are closer to the centre of the Conservation Area (where according to officers the most interest can be found) will provide a tangible improvement to the character of the built environment.

St Mary's Ukrainian Church

- 4.16 The Grade II listed St Marys Ukrainian Church is statutory protected and is also located within the Conservation Area, the impact on the setting of this feature is therefore an important consideration as part of this application. The officer report for the previous application acknowledges that the approach to the Church is already compromised by existing adverts, highway paraphernalia and modern commercial buildings. The church will be visible in some views of the proposed advertisement when travelling along St Mary's Gate from the west. It is the church tower which is most visible in these views with the remainder of the building coming into view as you pass the car park location. The Church tower is a prominent feature within the streetscene and its visual influence over the townscape and the ability to appreciate its special interest will not be altered by this advert at street level. Due to the distance and existing level of buildings, signage and street paraphernalia in the locality there is a degree of separation between the proposed advert and the church. The addition of this advert will not cumulatively cause the Church to be overpowered or dominated. The Church will remain as the focal point in the locality and this advert will instead sit next to a well lit and busy highway, alongside the other features in the street level environment which have already combined to form the established character of the area. We therefore do not find there to be any significant impact on setting of the listed building in terms of accumulation. It is also our view that the impact in terms of 'setting' is no different than the advert on Council land to the west and arguably it is a better relationship given the proposed advert is not on open land. The adverts proposed for removal will also reduce any cumulative effect that may be identified.

Summary in respect of Visual Harm

- 4.17 It is established that there is a pre-existing level of commercial activity in the area and this includes a variety of adverts. When viewed in this context, the advertisement is another addition to this established character, and we find no reason to believe that an additional advert in this location will all of a sudden 'tip the balance' to create street clutter and make signage a dominant feature in the streetscene. In addition, this proposal seeks to respond to any potential for proliferation by removing the two double sided 48 sheet adverts within the control of the applicant.
- 4.18 National Planning Practice Guidance indicates that larger adverts can be considered to be acceptable in a commercial area of a major town or city, where there are large buildings and main highways and where the advertisement would not adversely affect the visual amenity of the surroundings of the site. It is our view that this is precisely the case with this application. The visual amenity of the area is currently characterised by commercial activity including a range of advertisements and the advert on Council owned land to the west has extended the commercial reach of the town centre across St Mary's Gate. The advert will be another addition to this commercial area and as such should be viewed positively in this context. We do not find there to be any harm to the special interest of the Conservation Area and the impact on the setting of the listed St Mary's Ukrainian Church is considered to be neutral. When viewed alongside others the advertisement will not dominate or detract from the appearance of the listed building which will remain as a strong focal point in the area.

Public Safety

- 4.19 Factors relevant to public safety in this case extend to the safety of persons using the adjoining highway. The NPPG guidance observes that proposed advertisements at points where drivers need to take more care are more likely to affect public safety and gives examples of junctions, roundabouts, pedestrian crossings.

- 4.20 In this instance, it is not considered that there will be any impact on public safety, and this view is supported by the officer report for the previous application which concluded that there would be no reason to refuse the application on public safety grounds.

Illumination

- 4.21 Saint Mary's Gate is a highly traversed and well-lit roadway, meaning that the ambient effect of the proposal is sufficiently contained, in accordance with the guidance set out by the Institute of Lighting Practitioners (ILP).
- 4.22 The guidance specifically considers the use of digital technology. It sets recommended maximum luminance levels per surface area which LPAs typically apply in such cases. This guidance recommends that advertisements in urbanised, well-lit, areas 'should not exceed 300cd/m² at night'.
- 4.23 During the daytime, the illumination will be adjusted by light sensors to make the image visible but not overly bright in the ambient light. A correctly adjusted digital display is no brighter than a conventional illuminated sign.

5. Summary and Conclusions

- 5.1 This application is submitted by Paul Butler Associates on behalf of Vision Advertising. Advertisement Consent is sought for the proposed installation of a 48 sheet digital advertisement unit on the north west corner of the Union Street Car Park. The removal of two double sided 48 sheet advertisement hoardings on the same car park is proposed as part of the application proposals. The removal of these hoardings could be secured by imposing a planning condition on the consent.
- 5.2 The site location is within the town centre of Rochdale and forms part of a commercial area that is characterised by a variety of adverts of different sizes and types. The proposed advertisement will form another addition within the streetscene and will not tip the balance in terms of accumulation of adverts. Furthermore, the proposed removal of two large existing adverts mitigates against any potential effects that may be identified. The advert will sit alongside other adverts within this commercial location, next to a well-lit busy route and will not appear incongruous in its surroundings.
- 5.3 The statement demonstrates that there will be no appreciable impact on the character and appearance of the Town Head Conservation Area and the proposed advertisement will have a neutral impact on the setting of the St Mary's Ukrainian Church.
- 5.4 The statement demonstrates that the proposals are in accordance with national and local policy and guidance and we therefore respectfully request that advertisement consent is approved.