

DELEGATED DECISION CHECKLIST AND REPORT

APPLICATION NO.	CASE OFFICER	DATE
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24/00005/ADV

Hamish Rigg

15/02/2024

Address:

Proposal: Internally illuminated 96 sheet digital advertisement hoarding

PUBLICITY	Weekly list expired?	yes	Site notice expired?	n/a
	Neighbour letters expired?	n/a	Press Notice expired?	yes

DELEGATION	Significant departure from local plan?	no	Contrary to national policy?	no
	Applicant a Council Member or officer?	no	Contrary to previous decision?	no
	Major with 10 or more objections and recommending approval?	no	Called in or Planning Panel objection?	no

COMMENTS	Planning Panel comments received?	No
	Neighbour comments received?	n/a

EIA	Screening opinion completed and saved to Onbase?	n/a
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CONDITIONS	Pre-commencement conditions proposed?	yes
	Pre-commencement conditions agreed (or notification period expired)?	yes

RECOMMENDATION	Grant subject to conditions
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CHECKED AND SIGNED OFF BY: RK

DATE: 28/02/2024

SITE

The application relates to Union Street Car Park, which sits on the corner between St Mary's Gate and Union Street in Rochdale town centre. St Mary's Gate (A58) is a major road running along the northern boundary of the site, accommodating heavy vehicular traffic.

The immediate area is made up of a variety of building types and uses, including retail, warehouses, and residential housing. There is a noticeable presence of advertising hoardings, particularly along St Mary's Gate.

The site falls within 'Town Head Conservation Area' and in view of several listed buildings including, Grade II listed St. Mary's Ukrainian Church, and Grade II listed 1&3 Whitehall Street.

PROPOSAL

Permission is sought for the erection of an internally illuminated 96 sheet digital advertisement hoarding. The hoarding would be positioned in the north west corner of Union Street car park, facing westwards towards traffic travelling from west to east along St Mary's Gate.

The board would measure approx. 12.2m in width, 3.2m in height, and 0.4m in depth. It would be elevated approx. 2.5m above ground level by 3 steel legs. The maximum height of the boarding would measure approx. 5.7m.

RELEVANT PLANNING POLICY

National Guidance

National Planning Policy Framework (NPPF) – July 2021

National Planning Practice Guidance (NPPG)

Adopted Rochdale Core Strategy (CS):

Unitary Development Plan (UDP):

RELEVANT SITE HISTORY

22/01607/ADV:

Internally illuminated 48 sheet sized digital advertising unit- Refused. Appeal Allowed.

CONSULTATION RESPONSES

Conservation officer 20/02/2024:

The application site is part of the Union Street car park, which is located just off St Mary's Gate. The site is within the Town Head Conservation Area. The significance of the conservation area is embodied within the rich Georgian townscape found in this area. The carpark itself makes little contribution to this. However, views are possible along St Mary's Gate towards other designated heritage assets, including St Mary's Ukrainian Church (grade II) which lies to the east of the site.

Advertisement consent was previously granted on appeal for the installation of a 48 sheet digital advertising unit in the same position, as the current proposal (22/01607/ADV). In allowing the appeal, the Inspector concluded that the proliferation of signage would not be such that it would lead to a harmful proliferation of advertisements or create unacceptable street clutter. The Inspector also concluded that the proposal would not harm the setting of either the Town Head Conservation Area or St Mary's Ukrainian Church.

The currently proposed sign would be twice the size of the previously approved scheme, but it would be in the same location, and as such the same constraints apply. The Inspector did not make any comments about the size or scale of the sign in this case. While I still have reservations, having regard to the conclusions reached by the Inspector previously, I am not able to reasonably object to this proposal.

Highways officer 30/01/2024:

The site already has advertising hoardings but these are on the opposite side of the car park aimed at the car park. This proposal is facing a busy dual carriageway. The applicant seeks not only to introduce new advertising but to increase it in size.

This would be one of 3 digital advertisements visible along St Marys gate when approaching Townhead Junction this has the potential for signage to cycle once every 3 seconds. Each advert cycling is designed to attract the attention of passengers and drivers. This is an added distraction to an already dangerous situation and adds to the clutter of information on the street scene surrounding a highway.

The signage does not display any moving images, animation, flashing, scrolling or video and no visual effects including fading, swiping or animation shall accompany the transition between any successive advertisements, images or messages. We would also ask that the advertisements, images or messages displayed on the digital panel shall not change more than once every 10 seconds.

Whilst we do have Highways Safety concerns we are aware that these concerns may not sustain an objection because of recent decisions by the Planning Inspectorate, and if the Council is minded to approve we would ask that the requested conditions are applied.

REPRESENTATIONS

In line with the Council's Publicity Code for Applications, no direct publicity was undertaken and no representations have been received.

ANALYSIS

Heritage and amenity:

In assessing applications for advertisement consent, paragraph 136 of the NPPF establishes that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

It is well established that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Policy P2 seeks to conserve, enhance and promote key heritage assets and utilise heritage assets positively and intelligently to strengthen identity and image.

With all applications for advertisements an assessment should be made as to the impacts on visual amenity and to accord with policy P3 of the Core Strategy; signs should be compatible with the surrounding area and protect the character and appearance of the host building and street scene. In addition, Policy DM1 sets out the Council's general development requirements and establishes that proposals should not adversely impact on highway safety.

The proposal is for the installation of an internally illuminated advertisement hoarding. The site is within the Town Head Conservation Area. The significance of the conservation area is founded in its Georgian townscape, although it is recognised that the carpark itself makes little contribution to this. Nonetheless, views are possible along St Mary's Gate towards other designated heritage assets, including St Mary's Ukrainian Church (grade II) which lies to the east of the site.

The proposed signage would be significantly larger than the existing signage on the site or in the surrounding area, and the illumination would have some additional effect on the streetscene. However given the existing array of advertisements, and the mixed uses of the surrounding area, the proposed digital hoarding would not significantly alter the character and appearance of the application site.

Furthermore, the hoarding would not directly face any residential properties, and would not unduly affect residential amenity or surrounding occupiers. Nevertheless, it is considered appropriate to attach various conditions in the event of an approval to limit hours of use, illuminance, and type of advertisement to ensure this level of impact on the amenity of surrounding occupiers is ongoing.

However, the display of insensitively designed or sited adverts can harm the appearance of a listed building or detract from its setting. It can also impact on the character and appearance of a conservation area. These are important aspects to take into account when considering an advertisement's impact on amenity.

Advertisement consent was previously granted on appeal for the installation of a 48 sheet digital advertising unit in the same position as the current proposal (22/01607/ADV). The Planning Inspector judged that the site location did not lie within the setting of the Grade II listed Ukrainian Catholic Church of Saint Mary, despite views of the church being possible along St Mary's Gate from the site. Furthermore, they concluded that advertising hoardings, including digital ones, and other commercial paraphernalia form part of the character of the area. In light of these findings, the introduction of a digitally illuminated advertising hoarding to the site would not bring undue harm to the character of the area or possible views of heritage assets.

In principle, the erection of a digitally illuminated sign in the same location would therefore be considered acceptable. As with the previous application, two existing 48 sheet advertisements will be removed which sit approx. 60m to the east of the proposed sign. However, the applicant seeks permission for a digitally illuminated sign which is 12m wide, double the width of that applied for under 22/01607/ADV. The main consideration therefore, is whether an advertising hoarding of double width would be harmful beyond that which was acceptable under application 22/01607/ADV.

As previously noted, the application site itself does not positively contribute to the character of the area, thus the addition of a 96 sheet hoarding would not detract from its immediate setting. However, a sign of this nature would impede views of the Grade II listed Ukrainian Catholic Church of Saint Mary, and in conjunction with surrounding advertisements and commercial buildings, could detract from the Town Head Conservation Area. In theory, a larger sign would further obstruct views of local heritage assets, and would increase the cumulative impact of commercial paraphernalia on Town Head Conservation Area. However, as the intended purpose of an advertising hoarding is to capture attention, the possible views of the Church of Saint Mary would be undermined regardless of its size. Furthermore, considering the established array of commercial paraphernalia within this part of Town Head Conservation Area, a larger sign would not be an incongruous addition capable of adversely altering the existing built environment and its relationship with the conservation area.

Nonetheless, it is recognised that the existence of similar advertising hoardings within a conservation area is not always justification for additional signage taking account of cumulative impacts, particularly when larger in size. However, given that two digital signs will be removed in the process, and that the proposed sign would not encroach on an area without a presence of advertising hoardings, the proposal would not have an increased cumulative impact.

Notwithstanding, the Council's Conservation Officer was consulted in light of the potential impact on the conservation area and associated heritage assets. Whilst having reservations akin to those previously raised under application 22/01607/ADV, they were unable to reasonably object to the proposed sign, particularly as the inspector made no mention of size and scale in approving the appeal.

Accordingly, the proposal would not harm amenity and would preserve the character and appearance of Town Head Conservation. There would, therefore, be no conflict with Policies P2, P3 and DM1 of the Rochdale Adopted Core Strategy (2018) or the National Planning Policy Framework which together seek to protect and enhance character, landscape and heritage.

Highways:

Policy P3 and Policy T2 of the Core Strategy requires all development proposals, to adhere to high standards of design and principles relating to accessibility and highway safety.

The advertisement is proposed to be sited on a This section of the A58 and the approach to its junction with Whitworth Road and John Street, which is one of the busiest sections of highway network in the Borough and the proliferation of similar signs in this specific area causes concerns.

The site has limited views from pedestrian locations so this advertisement is designed to catch the attention of drivers and there is evidence that this type of illuminated advertisement does so more than the standard static displays.

The application has been reviewed by a Council Highways Officer, who raised concerns that the additional signage will further distract drivers in an area already containing a significant amount of visual clutter. Nonetheless, they conceded that an objection may not be sustained because of recent decisions by the Planning Inspectorate. Furthermore, the sign would not include any animations or flashing images etc. As such it is considered that whilst the proposed advertisements may result in some distraction to drivers, it would not be to an unacceptable level.

Nonetheless, in corroboration with recommendations from the Highways Officer, and in the interests of safety, it will be required by condition that advertisements, images or messages displayed on the digital panel shall not change more than once every 10 seconds.

The proposal is therefore considered to have an acceptable impact on public and highways safety and is therefore in accordance with Policy P3, T2 and DM1 of the Rochdale Core Strategy and the guidance contained within the NPPF.

RECOMMENDATION

Grant subject to conditions

The six standard conditions set out in the Regulations are relevant, plus:

7. The digital advertising unit hereby granted consent shall not be installed until the two existing double-sided 48 sheet displays, as identified on RSMWCS1REV2 Site Plan Current Layout, have been completely removed from the site.
8. The maximum level of luminance of the advertisement sign hereby permitted shall not exceed the relevant thresholds contained within the Institute of Lighting Professionals guidance document 'Professional Lighting Guide 05 – the Brightness of Illuminated Advertisements' 2014, or any guidance updating or replacing it, and shall not exceed 3000 candelas per square metre between sunrise and sunset and 300 candelas per square metre between sunset and sunrise.
9. The advertisements displayed on the digital advertising unit hereby granted consent shall:
 - contain static and two-dimensional images only;
 - not include moving, or apparently moving, images, devices, wording or emblems;
 - not depict images that resemble road signs or traffic signs or traffic signals;
 - include no additional effects (including, but not limited to audio, odours, smoke, flashing, scrolling, intermittent or video elements).
 - not change more than once every 10 seconds;
 - not involve message sequencing for the same product; and
 - not include features or equipment which would allow interactive messages or advertisements to be displayed.

10. The display shall at all times maintain a safety feature that will turn the screen off (i.e. shows a black screen) in the event that the display experiences a malfunction or error.

Procedure Statement

The Local Planning Authority worked 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.

Notes for Applicant:

For the avoidance of doubt, this permission relates to the following plans:

- Specification drawing: RSMWCSREV2
- Location plan: RSMWCSREV1
- Site plan: RSMWCSREV2

Report Author Hamish Rigg