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10th October 2023

My Ref: CW / 9852B

Dear Sir /Madam

### **APPLICATION FOR EXPRESS CONSENT: TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007**

### **LAND ADJ. THE BARNLSLEY PLUMBING CENTRE (WESTERN BOUNDARY), ROTHERHAM ROAD, CUNDY CROSS, BARNLSLEY S71 5RF**

### **PROPOSAL: 1 x 48 SHEET FREESTANDING LED ILLUMINATED ADVERTISING DISPLAY PANEL**

This statement is submitted in support of an advertisement application by my client, Vivid Outdoor Media Solutions (A) Ltd, which seeks express planning consent to build a single freestanding 48 sheet LED illuminated advertising display panel on the above site. The statement should be read in conjunction with the following documents which are submitted in support of the application:-

- Express Consent Application Form
- Planning statement letter (this document)
- 9852B 01 BPC1 Site Plan at 1: 500
- 9852B 02 BPC2 Location Plan at 1:1250
- 9852B 03 BPC3 48 Sheet Panel Specifications Drawing
- 9852B 04 BPC4 Existing Elevation (site photo)
- 9852B 05 BPC5 Proposed Elevation with 1 x 48s LED illuminated display unit (visual)
- 9852B 06 Crash Map Statistics 2014 to 2018
- 9852B 07 Crash Map Statistics 2019 to 2021

### **SITE AND SURROUNDING AREA**

The application site is located on the western boundary of the car park area adjoining the Barnsley Plumbing Centre (formerly the Priory Arms public house), and overlooks the busy road junction between the A628 Pontefract Road and the A633 Grange Lane/Rotherham Road. The proposed advertisement display will be positioned at back edge of the car park, and will be viewed primarily by traffic travelling in a North West direction on Grange Lane, in an area of mixed use with a strong commercial character. The buildings immediately adjacent to the road junction have a commercial flavour with shopfronts and

fascia signs, some of which are illuminated. The busy character of the main road and the fascia signs and advertisements associated with the commercial premises contribute to the vibrant appearance of the area, and it is considered that the proposed advertisement will not look out of place in that context.

The application site is adjacent to Pontefract Road (A628) and the Grange Lane/Rotherham Road (A633), which are important gateway routes into and out of Barnsley town centre. The Local Plan states that development alongside these routes should create a strong distinctive visual appearance and contribute to the existing active street frontages.

The Applicant is keen to provide a business and community benefit with the development of a high quality and innovative advertising feature at this prominent point on a main arterial road into and out of the town centre. The LED illuminated advertising display would not detract from the character of the surrounding area, but would in fact complement the Council's plans for development by providing a feature that will be impactful, distinctive and modern. Landmark advertising sites of the scale and design proposed in this application can help to stimulate the local economy, as well as adding interest to the street scene, bringing colour to drab areas, and making areas safer at night through better illumination.

The development of digital advertising across the country is a positive response by the outdoor media industry to the Ministerial forward in the NPPF, which states that, "*development means growth and we must respond to the changes that new technologies offer us.*" The NPPF states further that "*advanced, high quality communications infrastructure is essential for sustainable economic growth*".

The character of the area is largely influenced by the transport infrastructure, the high traffic volumes throughout the day, and the busy commercial nature of the locality with a mixed nature of the surrounding buildings. Traffic passes through this built up area with development, activity, and signage on all sides, and this is typical of an area where large roadside advertisements are commonplace.

National planning guidance provides advice on the types of locations where large roadside illuminated advertising might be considered appropriate, and focuses on the local characteristics of the neighbourhood. It is considered that the application proposal broadly reflects the descriptions offered in the planning guidance, insofar as the application site is in an area of predominantly commercial use and large open scale.

The character of the immediate locality in which the proposed advertisement would sit is not one exhibiting special historic, architectural or cultural features. The application site is not located within a conservation area or any other statutorily designated sensitive area. There are no heritage assets within close proximity to the site where their setting would be adversely affected by the proposed advertisement display.

## **NATIONAL AND LOCAL PLANNING POLICY**

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 visual 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 NPPF (2021) sets out the government's planning policies for England and how these are expected to be applied. In accordance with Paragraph 136 of the NPPF, "*advertisements should be subject to control only in the interests of amenity and public safety, taking into account cumulative impacts*". As described in the Planning Practice Guidance (PPG) the regime is a "lighter touch" than the system for obtaining planning permission for development. The PPG also clarifies that a local plan does not have to contain advertisement policies and that if such policies are considered necessary to protect the unique character of a particular area, these should be evidence-based.

The Council's '*Supplementary Planning Document: Advertisements (May 2019)*' supplements Local Plan Policy D1 '*High Quality Design and Place Making*', which states that development should be of "high

quality design and will be expected to respect, take advantage of and reinforce the distinctive, local character and features of Barnsley”.

The proposed advertisement development contained in this application will be to the highest standard of build quality and design, respecting the local amenity and not being detrimental to highway safety, and therefore complies with the guidance set out in national and local policies.

The Council’s Local Plan Policy BTC7 – ‘*Gateways Development*’ states that developments on or next to the town’s gateway routes should be visually distinctive, of high quality design, and use the best quality materials.

Primarily the proposed digital display unit at the application site would be used to advertise commercial products and services of local and national businesses. However, the technology would provide the flexibility to display local messages relating to Council, highway or emergency safety information if required. Local businesses would be able to access the display unit to raise their profile and generate an increase in their business activities, and so support the local economy and employment in the area. The application site has the potential to attract investment, being in a prominent location adjacent to a major route in and out of the town centre.

## **APPLICATION PROPOSAL**

The Applicant seeks advertisement consent to erect 1 x 48 sheet freestanding LED illuminated advertising display panel, measuring 6200mm wide x 3200mm high, sitting approximately 2.5m above ground level. The proposed display panel would be slim and elegant, presented in landscape format, and comprising a pressed metal frame in which the sealed LED ‘tiles’ are mounted. The tiles contain diodes which emit light to create an image. The images would change once every 10 seconds in a sequential manner, and very importantly, would be of a static nature. The interchange between each image would be virtually instantaneous. The advertisements would not contain any movement, animation or special effects.

The proposed advertisement is shown in the photomontage, which has been submitted with the application as support document **9852B 05 BPC5 Proposed Elevation with 1 x 48s LED illuminated display unit (visual)**.

**Fig 1: Photomontage of the application site at Barnsley Plumbing Centre -- showing the Long View of the proposed 1 x 48 sheet freestanding LED illuminated advertising display unit**



The display would be controlled remotely via a dedicated 4G internet connection and computer software that controls every aspect of the display in real-time, including brightness, timing of each image, and the transition time between each image etc. The display would be limited to 300cd/m<sup>2</sup> at night time in accordance with the Institute of Lighting Professionals best practice guidance; *The Brightness of Illuminated Advertisements (05/23)*. The light which the display radiates would not be significant in the street scene, as the proposed display would be located in close proximity to other sources of illumination and street lighting, which emits a considerably higher intensity of light.

As such it is considered that the LED illumination of the advertisement would not cause harm to amenity. The illumination of the display will be regulated by an inbuilt ambient light sensor, to monitor and adjust the luminance of the display area, ensuring it is not overly bright or be a cause of glare at night

To ensure that the display operates without harming either visual amenity or public safety, the Applicant recommends that the proposal adheres to the schedule of planning conditions which are set out at the end of this statement. They reflect best practice guidance and are consistent with the conditions applied to digital consent decisions issued by the Council and other local planning authorities across the country.

## **BACKGROUND INFORMATION**

There is presently no advertising display at the application site, however, it is considered that this is an appropriate location for a landmark advertising site. Advertising displays of the size and design proposed in the application can be found in all major towns and cities across the UK, and are usually sited in prominent locations to mark town and city boundaries.

It is accepted that digital displays can enhance iconic town and city centre locations by providing architectural features that are impactful, distinctive, innovative and modern. Many local authorities have encouraged the development of high quality advertising sites, as they recognise the potential benefits that advertising can bring to the local area. In addition to making a positive contribution to the street scene, the application proposal for a high quality digital advertising display would reinforce this gateway point on a main arterial route in and out of the town centre. It would also provide benefits to local businesses and communities, and so create a positive image of the town.

The outdoor media industry is now in a period of substantial change, which will no doubt have a positive effect on the built environment. The growing demand for digital media at the expense of traditional printed poster advertising has seen the removal of many low cost billboards sites (both voluntarily and through enforcement action). This has resulted in the focus from media operators shifting to the development of high quality strategic sites on the road network, urban centres and transport hubs.

Rather than the traditional scene of many billboards all in one place and competing for attention, we are now only seeing the best locations being selected that can support the increased level of investment required for the new technology. Local businesses and well-known brands always want to be associated with quality design in the right locations to reach their customers.

National and local policies recognise that advertising is an important part of commercial activity, in particular for retailing, which relies on external advertisements or signage to communicate information to sell goods or services. Advertising is a prominent feature in modern society, and it will have an important role to play in the revival of local and national economic activities in the '*post pandemic*' period, when the Council will be active in encouraging more investment in businesses and events across the area.

The clear thrust of national policy, which is a material consideration in planning decisions, is that those involved in development and development control need to respond to the changes and innovations offered by new technology. In addition, there is a presumption in favour of '*sustainable development*' at the heart of the planning system, which should be central to the approach taken to both plan making and decision taking.

The national presumption in favour of '*sustainable development*' means that unless there are specific adverse impacts that would significantly and demonstrably outweigh the benefits of the development

proposal, it is considered that the LPA should take a positive approach that reflects the presumption in favour of '*sustainable development*'.

'*Sustainable development*' is usually defined as development that meets the needs of the present without compromising the ability of future generations to meet their own needs. Advertising panels comply with this definition, as they are patently needed by advertisers and businesses, contribute to the economic health of the country, and can be easily removed without any trace and so not compromise the future.

The Council's Local Plan Policy SD1 – "*Presumption in favour of Sustainable Development*" states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The Council aims "*to work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area*".

It is recognised that the relevant legislation, (the Town and Country Planning (Control of Advertisements) (England) Regulations 2007) pre-dates the availability of digital advertising screens, and allows Local Planning Authorities (LPAs) to control the display of advertisements only in the interests of visual amenity and public safety.

With digital advertising being a new concept, there was previously little specific guidance or policy available at a national or local level. Some LPAs have therefore adopted supplementary planning guidance (SPGs) to provide specific guidance on the siting of large roadside digital screens. In particular they focus on how such screens can address amenity and public safety issues. Some of the most recognised and implemented policy guidelines are set out in documents such as "***Guidance for Digital Roadside Advertising and Proposed Best Practice (2013)***" published by Transport for London and "***City Centre Digital Media Interim Planning Statement***" published by Nottingham City Council in January 2017.

The Nottingham document states that "***Where large digital screens are sited appropriately, and their content appropriately curated and managed, they have the potential to contribute positively to town and city centre spaces and support local policy objectives such as regeneration, economic development, and community engagement and development***".

Illuminated advertisements of the size and design proposed in the application are now a common sight on arterial roads in most urban areas, as it is now widely accepted that '*appropriately sited and well-designed advertising*' may be acceptable in commercial areas of large open scale. As such, digital advertisements are not an unusual feature in the street scene of most urban areas. In fact in 2015 there were only 45 LED illuminated 48 sheet panels in the UK. There are now over 1500 sites, many of which are new locations such as the application site, and others which were established '*paper and paste*' billboard sites which have been modernised. These display sites are in operation across the country, ranging from cities as large as London to towns as small as Ilfracombe. The application proposal is therefore considered to be consistent with current market requirements and planning developments.

It is true to say that over 10 years ago there were no 48 sheet LED illuminated panels to be found adjacent to the main arterial roads in the urban areas of Barnsley. However, following the period of substantial change in the outdoor media industry, the Council are now familiar with the concept of 48 sheet LED illuminated advertising displays, and as a result several consents have been granted at both application and appeal stages for schemes which are similar to the application proposal.

Two examples where consents have been granted recently in Barnsley for similar 48 sheet illuminated displays can be found at the following sites:-

**Fig 2: Ref. No 2020/1059 – Land at Grange Lane Barnsley S71 5QQ - Consent for 1 x 48 sheet digital advertisement – Allowed on Appeal on 08/06/2021(Appeal Ref. APP/R4408/Z/21/3266528)**



It is considered that the above example of a consented 48 sheet illuminated display is directly comparable to the application proposal, as the site lies within the same locality as the application site, and comprises an advertisement of the same size, scale and landscape orientation, and with the same operational characteristics of digital illumination and static advert images as proposed in the application scheme. Although this consented site is also located at the busy road junction between the A628 Pontefract Road and the A633 Grange Lane/Rotherham Road, the above site photo shows that the consented display is viewed primarily by traffic travelling south and east from Rotherham Road (A633). The application proposal would face south towards Grange Lane, and so it would be viewed primarily by northbound traffic on Grange Lane.

Due to their relative positions and the distance between them, the application site would not be viewed in the context of the consented site. Given this, and the visual separation caused by the intervening busy road network and the wide open spaces of the surrounding area, the proposed advertisement display would seldom be seen in the same line of vision or in close proximity to the consented illuminated display. The application proposal would not create a clutter of similar advertising in the area, nor detract from the character and appearance of the locality.

**Fig 3: Ref. No 2021/0879 - Land at Peel Place / Old Mill Lane, Barnsley S71 1LU - Consent for 1 x 48 sheet digital advertisement – Allowed on Appeal on 09/03/2022 (Ref. APP/R4408/Z/21/3286423).**



The consented site at the above site mirrors the application site in terms of size, scale and landscape orientation, and the same operational characteristics of digital illumination and static advert images displayed on a freestanding structure in an area of mixed use and large open scale.

The purpose of referring to the above examples is not to highlight a matter of precedent in a planning sense as we acknowledge that each case should be considered on its own merits. However, it is considered that they help to illustrate how judgments have been made in other cases on the impacts of illuminated advertising displays in relation to visual amenity and public safety.

It is considered that the application proposal should be determined in light of existing policies, and consents already granted for similar digital advertising displays in the area and other LPA areas across the country as a whole.

An illuminated digital advertisement in a location such as the application site would not be unusual and is exactly the kind of place where one would expect to find one, and is therefore in line with the guidelines set out in the NPPF relating to the location of advertisements in commercial areas.

### **AMENITY ASSESSMENT**

The meaning of visual amenity can be wide ranging but in the context of assessing advertising it is usually defined as being the impact on visual amenity in the immediate neighbourhood. As such, the local characteristics of the site are material in assessing the proposal's impact. The surrounding area of the application site is in mixed commercial and residential use.

The NPPF states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective, and simple in concept and operation. 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.

In assessing visual amenity, regard needs to be made to the cumulative effect that the advertisement may have on its surroundings. Relevant considerations for this purpose include the local characteristics of the neighbourhood, including scenic, historic, architectural or cultural features which contribute to the distinctive character of the locality.

As already stated, the application site is not located within a conservation area or any other statutorily designated sensitive area. There are no heritage assets within close proximity to the site where their setting would be adversely affected by the proposed advertisement display.

It is acknowledged that there are some residential premises in the surrounding area, however, the proposed advertisement display would not face directly on to any of these properties. Any views of the advertisement from the residential dwellings would be oblique and incidental, as they are located at a significant distance and positioned at angles to the application site. No harm to the occupiers of the residential premises by way of loss of light or outlook is likely to occur, and so the proposed display would not have any significant detriment to residential amenity.

It does not automatically follow that illuminated advertisements would have a detrimental impact on residential amenity in an area such as the application site. The locality is an urban area of mixed use, where commercial uses and other urban characteristics would be expected to prevail, and these would typically co-exist alongside residential uses.

The Planning Inspector in the appeal case at Grange Lane concluded that the consented advertisement ***"would not appear intrusive or out of place having regard to the established character of the area. I consider that the advertisement would not cause harm to the amenity of the area"***. It is considered that the application proposal would be positioned in the same street scene where the Planning Inspector has already concluded that advertisements of the scale and design proposed in this application are not considered to be out of place in the context of the surrounding area. The proposed

advertisement would therefore have no detrimental impact on the visual amenity of the locality of the application site.

Another similarity between the consented site at Grange Lane and the application site is that both advertisements are viewed in the context of the immediate backdrop of large mature trees located to the rear of the sites. As can be seen from the site photomontage submitted in this statement letter, the proposed advertisement would not appear as an overly large, incongruous or obtrusive feature in the street scene. The background of the trees and established vegetation would soften and mitigate its impact, and would also serve to hide and obscure any views that there might be of the rear of the advertising display unit from the properties behind the site.

There are many comparable sites across the country, where illuminated advertisements are viewed against the backdrop of well-established greenery. There are obviously far too many of these approved schemes to conveniently list here, however, it is considered relevant to refer to the following example of a consented site in the neighbouring LPA area of Rotherham:-

**Fig 4: Land at St. Ann's Road c/o Erskine Road Rotherham S65 1RQ - Consent for 1 x 48 sheet freestanding digital advertisement – Allowed on Appeal on 28/07/2020 (Appeal Ref. APP/P4415/Z/20/3252133).**



The above site photo clearly shows the example of a consented 48 sheet digital display viewed against the backdrop of well-established trees, which provide greenery around the digital display.

Reference is made to the following comments of the Planning Inspector in this case, when he stated that the advertisement would not unduly harm the visual amenity of the area:-

***“The proposed sign would be located where there is currently vegetation, close to St Ann’s Road. There are mature trees on either side and to the rear is land which is in disuse. It would be seen against the backdrop of the mature trees and when vehicles are using the roundabout, it would be assimilated in the context of the existing signage, including the poster board displays. Hence, it would not appear unduly large”.***

It is acknowledged that the advertisement display unit proposed in this application would draw the eye, but its proximity to the highway boundary simply reflects its function to display the advertising to passing traffic, rather than being overly prominent. The display would be assimilated into the context of the surrounding area.

The application proposal would be consistent with the relevant policy guidelines which state that developments should be appropriate in terms of scale, mass, height, layout, appearance, materials and relationship to adjoining buildings. The proposed display unit does not obscure or cut across any significant architectural features, and will not harm the visual simplicity of the backdrop to the proposed advertisement.

The application site is also located close to other sources of illumination and street lighting, which emit a considerably higher intensity of light, and therefore the proposed display would not detract from the visual amenity of the locality, which has an open and spacious feel at the point of the application site.

To ensure that the proposed display operates without harming either visual amenity or public safety, the Applicant recommends that the proposal adheres to the schedule of planning conditions which are set out at the end of this letter.

The proposed LED illuminated advertisement would display a series of static images. It would by virtue of how a LED illuminated unit works, emit light to create an image, however, during the day, there would be no real discernible difference between a digitally created advertisement displayed on the application proposal and that of a traditional printed poster billboard. However, the light that the digital unit emits to create the image on the advertisement would be clearer and sharper. The illumination arising from the LED display would not make it a more prominent feature in the street scene, and it would be regulated by an inbuilt ambient light sensor, to monitor and adjust the luminance of the display area, ensuring it is not overly bright or be a cause of glare at night

The brightness will be controlled by the light sensor to vary the brightness of the advert according to the brightness of day. During the daytime the maximum brightness may increase in order to make the advertisement visible when there is bright sunlight shining on the advertisement, but by contrast on a dull day, the luminance will be reduced as the advert will not need to be as bright owing to the dull conditions. The level of luminance of the advertisement is sensitive to the change in daylight from sunrise to sunset and from summer to winter.

The dimensions and scale of the proposed display unit are relative to the surrounding area. The nearest features against which it will be measured for height are the adjacent street light columns, which will tower above the proposed display unit. As to scale, the comparative features in the street scene at this point are the host buildings of the application site, and the surrounding buildings on all sides of the highway network. Against the mass of these buildings, the proposed display unit is acceptable in scale comparison.

There must always be larger and smaller items in any street scene. There is no good reason why the proposed display should not form part of this mix. It will be a new, bright and attractive feature, wholly beneficial to this rather undistinguished stretch of the highway network. The display unit would be set back from the highway, and its impact would be softened and diminished by the greenery surrounding it. As a result the proposed advertisement display would not appear unduly large.

It is considered relevant to look at recent decisions to grant consent for similar 48 sheet digital advertisements. If a consistent approach is being applied when assessing this application, then taking into account the characteristics of the locality, and the comparisons with similar consented sites, it would be reasonable to argue that this would be an acceptable location for the display of a 48 sheet LED illuminated advertisement. It would relate well in height, scale and appearance in the street scene and would not appear as an overly large or discordant feature in its particular setting and context.

## **PUBLIC SAFETY ASSESSMENT**

With regard to public safety, this principally relates to the effect of advertisements upon the safe use and operation of any form of traffic or transport. The main issue for consideration is whether the illuminated display or its location is likely to be distracting and capable of being a hazard to public safety.

When assessing the public safety implications, policy guidelines state that “*LPA’s will assume that the primary purpose of an advertisement is to attract people’s attention, but will not automatically presume that an advertisement will distract the attention of passers-by, whether they are drivers, cyclists or pedestrians.*”

The proposed display would be located so that it will not interrupt the visibility of any highways, and therefore it is logical to assume that the location and the display will not cause any distraction or confusion to any road users who are taking reasonable care for their own and others safety. One of the main considerations when assessing the potential impact of an advertisement on highway safety is whether the display would obscure or interfere with any traffic signals or other road signs. It can be seen from the site photos submitted with this application that the proposed display would be set back from the edge of the highway, and the positioning of the display unit would not obscure or be in a direct line of the traffic signals in the surrounding area.

LED illuminated advertisements are now a common sight on arterial roads in major towns and cities and as such, are not an ‘*unusual*’ distraction for drivers. Drivers are used to distractions in urban areas, whether it be buildings, people, shop fronts, traffic signs or other adverts. The proposed display would be no different in terms of attracting a driver’s momentary attention and would not impact on the driving task.

Digital signage is already in widespread use across the country to convey road safety messages to drivers. Many highway authorities, including Highways England for motorway networks, use illuminated LED panels on their roads in order to display road safety messages. There is no reason to suggest that a responsible driver would be distracted by this type of digital signage, or the digital advertisement proposed in this application.

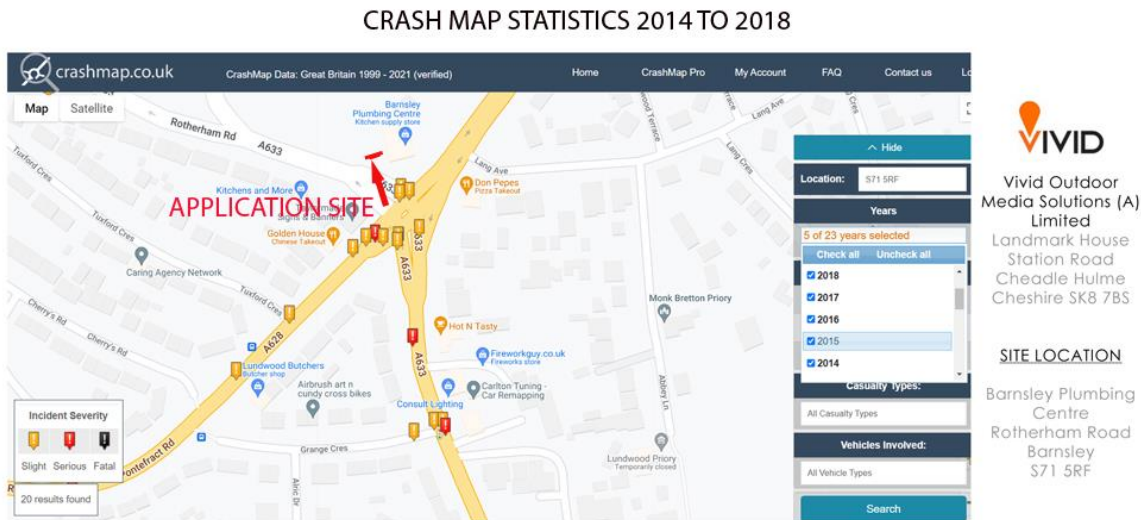
The highways in the vicinity of the site are well-lit and provide excellent forward visibility on the approach to the site. This allows drivers to glance at any advert far in advance without causing any confusion or sudden visual disturbances, or being distracted from the road ahead. Under these circumstances, such a familiar urban feature would not constitute a potentially hazardous distraction to anyone exercising a reasonable standard of care.

As already stated, the application site is located adjacent to the busy road junction between the Pontefract Road (A628) and the Grange Lane/Rotherham Road (A633), which are important gateway routes into and out of Barnsley town centre. Over several decades the traffic flows at the junction had been controlled by a ‘roundabout’ layout, however, this had resulted in an increased number of vehicle collisions. As a result the Council introduced measures to protect and control pedestrian and vehicular movements, and so ensure the safety of these users at this junction. This included the removal of the roundabout and the installation of a traffic light signal controlled junction towards the end of 2018.

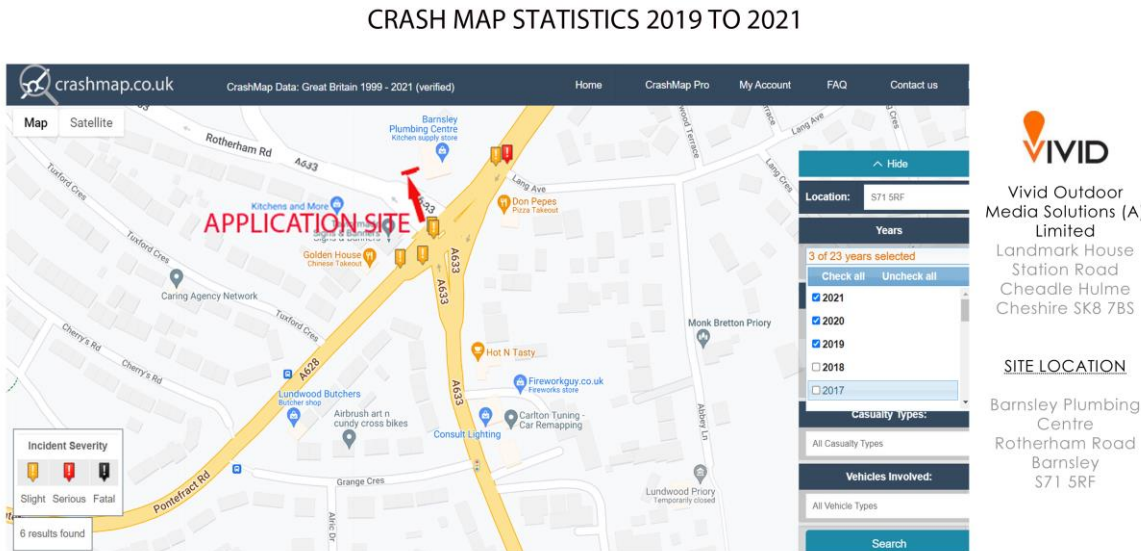
Road traffic accident statistics from **Crash Map** for the area of the application site have been provided for the period of five years (2014 to 2018) before the installation of the traffic signal controlled junction and also the three year period (2019 to 2021) following their introduction.

**Crash Map** have been developed by a very experienced team of collision analysts and road safety professionals with extensive experience of making road casualty data available to the public. The data provided by **Crash Map** has been accessed from the records of the Department for Transport.

**Fig 5: Crash Map Statistics 2014 to 2018**



**Fig 6: Crash Map Statistics 2019 to 2021**



During the five year period prior to installation, the **Crash Map** data shows that there had been 15 recorded incidents (average 3 per year) involving traffic travelling north on Grange Lane (A633) towards

or in the vicinity of the roundabout intersection. Whereas after the installation of the traffic signal controlled junction, the number of recorded incidents had reduced to 4, which represents an average of just over 1 per year. We would assume that the Council will suggest that these measures have contributed towards the low incident rate at the point of the junction.

We consider that this represents a low level of incidents at this busy junction, considering the high volumes of traffic on this part of the transport network, and there is no evidence to suggest that the accident record is a poor one at this location.

Taking into account planning guidance, and comparisons with similar consented 48 sheet digital displays in LPA areas across the country, it is considered that the application proposal is not likely to distract drivers' attention, nor lead to an increase in the risk of accidents.

The Planning Inspector in the appeal case at Grange Lane (**Ref. No 2020/1059**) concluded that **“Although an advertisement with changing images is likely to draw attention more than one with a fixed image, in this case the position of the screen together with these conditions would prevent any significant distraction to drivers. For these reasons, the proposed digital screen would not have a detrimental effect on public safety”**. It is considered that a similar assessment can be made of the setting and design of the application proposal, which would be acceptable in this mixed use area of large open scale.

An analysis of road traffic accident statistics before and after the introduction of LED illuminated displays at similar locations across the country has shown that this has not led to an increase in accident levels in the vicinities of these sites.

Any concerns that the Council may have regarding the digital form of illumination would be addressed by granting consent subject to the appropriate conditions, which are now widely accepted by LPAs across the country as standard for the control of digital displays and reflect best practice guidance in the outdoor industry

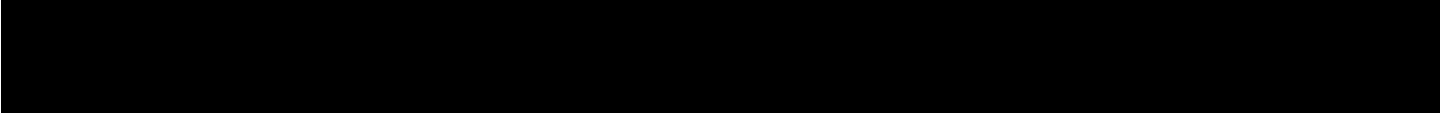
In addition to the standard conditions required by Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, it is proposed that express advertisement consent should be granted subject to the following conditions:

### **Suggested Conditions**

- The maximum level of illumination should not exceed 300cd/m<sup>2</sup> during twilight and night hours (dusk until dawn), in accordance with the recommendations for maximum luminance levels (cd/m<sup>2</sup>) set out in the *“Institute of Lighting Professionals best practice guidance; The Brightness of Illuminated Advertisements (05/23)”*.
- The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level
- The approved display should contain at all times a feature that will turn off the screen (i.e. show a black screen) in the event that the display experiences a malfunction or error.
- No individual advertisement on the LED screen will contain moving images, animation, intermittent or full motion video images, or any images that resemble road signs or traffic signals.
- There shall be a smooth uninterrupted transition from one image to another. Transitions shall be instantaneous, and no individual advertisement shall be displayed for a duration of less than 10 seconds.

## **Conclusions**

For the reasons set out in this planning statement letter, it is considered that the site is an appropriate location for advertising in terms of both visual amenity and public safety. The Applicant is hopeful that the Council will support this application and that express planning consent will be granted.



I trust you will find the above application is in order, and we look forward to receiving your acknowledgement in due course.

Should you require any additional information, please do not hesitate to contact the undersigned.

Yours faithfully

Chris Welbourne  
Outdoor Advertising Services