

Our Ref: B032514 / YZ160801544801

Planning Portal Ref: PP- 11109465

Warrington Borough Council
East Annexe
Town Hall
Sankey Street
Warrington
WA1 1UH

21 March 2022

Dear Sir,

**LYTHGOES LANE, WARRINGTON, WA2 7TL
APPLICATION TO UPGRADE EXISTING ADVERTISEMENT BILLBOARD TO A DIGITAL LED
ADVERTISEMENT**

Tetra Tech has been instructed to submit an application for advertisement consent to upgrade the existing static billboard at the site address above as part of a programme of modernising Network Rail's advertising stock to a digital poster (D-poster) format.

The digital poster advertisements are capable of being posted from a central location without the need to visit each site individually. The digital image display will ensure a consistent quality of image is always presented, mimicking that of a traditional poster. The overall aim of the advertisement upgrading project is to replace like for like, with no adverse impact on visual amenity or public safety.

This application is accompanied by the below drawings and plans:

- Completed application forms prepared by Tetra Tech;
- Supporting Statement prepared by Tetra Tech (this letter);
- Site Location Plan (Drawing ref: YZ160801544801_001_A)
- Existing Site Elevation (Drawing ref: YZ160801544801_002_A)
- Proposed Site Elevation (Drawing ref: YZ160801544801_003_A)
- Existing & Proposed Sign Specification (Drawing ref: YZ160801544801_004_A)
- Photo Montage (Drawing ref: YZ160801544801_005_A)

We have arranged for payment for the sum of £462 to cover the statutory application fee for the advertisement consent application.

The Site

The application site is located at Lythgoes Lane, Warrington and currently supports 2no. static 48 panel billboard, set either side of Lythgoes Lane. The application site is situated adjacent to the existing railway bridge to the south. In respect of surroundings, the locality is urban in character, with the nearest residential dwellings found approximately 45 metres west of the site. The proposal site is an established location for advertising, having supported a static advertisement in this location for a number of years.

The Proposal

The proposal seeks to "repost" the existing static display on the southern side of Lythgoes Lane with a "D-poster" which will display multiple static advertisements on rotation. The new screen dimensions are to be

6500mm width x 3500mm height. The screen would be installed at a suitable height, 2 metres above ground level to appropriately avoid against any potential for vandalism.

The upgraded D-poster advertisement board would adopt the same orientation and positioning as the existing static advertisement billboard in situ.

As part of the proposed works the removal of 1 no. existing neighbouring static advertisement board on the northern side of Lythgoes Lane which fall within Network Rail's land ownership is proposed, as illustrated on the provided plans. The removal of this sign will reduce the number of advertisements on the street scene, providing a tangible improvement for the visual amenity of the locality.

The proposals will allow Network Rail's existing advertising network to be better managed, monitored and maintained, to meet the modern requirements of advertisers. This will bring a wide range of benefits including:

- Ensuring a consistent quality of advertisement image, unaffected by weathering damage or ageing.
- Providing investment to improve the appearance of existing advertisement sites;
- Revenue generated is in the public interest as it can be reinvested in the UK's railway and passenger infrastructure by Network Rail;
- Consolidation and delivering an overall reduction in the number of billboards in the network, helping to declutter street scenes;
- A reduction in vehicle trips for reposting paper adverts;
- Eradicating the need to print posters and avoiding the associated waste involved in the production process;
- The ability to broadcast emergency messaging;
- The ability to use void periods for non-commercial campaigns;
- Opportunity for more creative real time and locally relevant advertising;

Content will be controlled remotely in real time from a Networks Operation Centre (NOC) and the site will be monitored remotely 24/7 to facilitate responsive maintenance. Diagnostics software will report any faults back to the NOC and a "kill switch" will turn the content to black until it can be resolved.

The proposal will utilise new display technology that is lightweight and can be erected with limited additional engineering, as the digital poster installations typically weigh little more than the traditional paper and paste poster billboard it will replace.

The level of luminance can be suitably controlled in line with the Institution of Lighting Professionals (ILP) relevant guidelines. During the hours of darkness the sign will not exceed the maximum threshold set in the ILP guidelines of 300cd/m² within urban and suburban areas. The signs are also capable of automatically adjusting to current lighting conditions ensuring against any "over illumination".

The displays are capable of being dimmed to within 1% of their maximum output and as such any concerns regarding levels of illuminance at a particular site can be dealt with swiftly and remotely. Lower levels of illuminance prolong the lifetime of the display and reduce electricity costs and as such there is an operational and economic imperative to ensure that digital signs are not "over illuminated".

In order to ensure that the proposed digital advertisement does not materially or detrimentally impact upon amenity or public safety, the applicant is willing for the sign's operation to be controlled via the use of appropriate planning conditions. Suggested conditions could include the following:

- Maximum level of night time illuminance to be set to 300cd/m²;
- Static images to be displayed only (no moving or flashing images);
- Changes between adverts to take place instantly with no sequencing, fading, swiping or merging of images; and
- Advertisements to change no more frequently than once every ten seconds.

The above conditions are industry standard and are commonly seen applied to applications of this type. Where circumstances demand, additional controls or variations of these conditions may be acceptable to the applicant and where these may be sought, we would welcome dialogue with the case officer to agree these.

Planning History

Tetra Tech Planning have undertaken a search of the Warrington Council online planning register in order to identify historical applications associated with the subject site. The search did not identify any historic application associated with the subject site.

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 amenity and public safety, taking into account the provisions of the development plan, in so far as they are material, in addition to any other relevant factors.

The National Planning Policy Framework 2021 (NPPF) 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 National Planning Practice Guidance (NPPG) the regime is a "lighter touch" than the system for obtaining planning permission for development. The NPPG 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 development Plan for the area consists of the Warrington Local Plan Core Strategy (2014). The adopted Local Plan Core Strategy Proposals Map indicates the application site is subject to the following designations and policies:

- The site is located within the Inner Warrington Strategic Location under Policy CS9;
- The site is situated within the Town Centre Strategic Location under Policy CS7;
- The site is located on Lythgoes Lane, a designated Trunk Road / Primary Route.

The Council does not have any specific adopted policies in relation to the advertising, however the following policies are considered of relevance to the proposed development.

Policy CS7 Strategic Location – Town Centre indicates the Council will support development in the Town Centre where it supports its viability and vitality and:

- generates job growth, particularly in indigenous sectors, including retail & high value jobs; or
- adds to the provision and attractiveness of the office market in the Town Centre; or
- supports existing, committed and planned public and private investment; or
- increases the diversity of uses and contributes to the day or night time economy; or
- supports the town in its role as a regional transport gateway / interchange and improves linkages to it from the rest of the borough and beyond especially by active travel modes; or
- Includes housing development.

Policy CS9 Strategic Location – Inner Warrington indicates inner Warrington will continue to be the focus of development and physical change in the borough. Development in the area should look to:

- secure the maximum physical and environmental benefits from the re-use and redevelopment of underused, vacant and derelict land;
- secure the maximum social benefits in order to contribute to the Council's "Closing the Gaps" agenda and address issues within areas of deprivation;
- contribute to the delivery of new homes to help achieve the 60% target set out in Policy CS2, whilst ensuring that a mix of housing in terms of type, size and tenure is delivered to help meet identified needs and ensure that an attractive and balanced housing offer is available;

- ensure accessible employment and training opportunities for the local population are maintained and improved by way of measures including planning obligations; and
- enhance the quality of Green Infrastructure and biodiversity and improve its connectivity to the wider network.

Policy QE6 - Environment and Amenity Protection indicates the Council, in consultation with other Agencies, will only support development which would not lead to an adverse impact on the environment or amenity of future occupiers or those currently occupying adjoining or nearby properties, or does not have an unacceptable impact on the surrounding area. The Council will take into consideration the following:

- The integrity and continuity of tidal and fluvial flood defences;
- The quality of water bodies, including canals, rivers, ponds and lakes;
- Groundwater resources in terms of their quantity, quality and the ecological features they support;
- Land quality;
- Air quality;
- Noise and vibration levels and times when such disturbances are likely to occur;
- Levels of light pollution and impacts on the night sky;
- Levels of odours, fumes, dust, litter accumulation and refuse collection / storage.
- The need to respect the living conditions of existing neighbouring residential occupiers and future occupiers of new housing schemes in relation to overlooking/loss of privacy, outlook, sunlight, daylight, overshadowing, noise and disturbance;
- The effect and timing of traffic movement to, from and within the site and car parking including impacts on highway safety;
- The ability and the effect of using permitted development rights to change use within the same Use Class (as set out in the in the Town and Country Planning (General Permitted Development Order) without the need to obtain planning consent.

Proposals may be required to submit detailed assessments in relation to any of the above criteria to the Council for approval. Where development is permitted which may have an impact on such considerations, the Council will consider the use of conditions or planning obligations to ensure any appropriate mitigation or compensatory measures are secured.

Development proposals on land that is (or is suspected to be) affected by contamination or ground instability or has a sensitive end use must include an assessment of the extent of the issues and any possible risks. Development will only be permitted where the land is, or is made, suitable for the proposed use.

Policy QE7 – Ensuring a High Quality Place indicates the Council will look positively upon proposals that are designed to;

- be sustainable, durable, adaptable and energy efficient;
- create inclusive, accessible and safe environments;
- function well in relation to existing patterns of movement and activity;
- reinforce local distinctiveness and enhance the character, appearance and function of the street scene, local area and wider townscape;
- harmonise with the scale, proportions and materials of adjacent and / or existing buildings;
- maintain and respect the landscape character and, where appropriate, distinctiveness of the surrounding countryside;
- use the density and mix of development to optimise the potential of the site without damaging
- the character of the area; and
- be visually attractive as a result of good architecture and the inclusion of appropriate public space.

Developers will be encouraged to engage with neighbourhoods and communities in developing design solutions. Where appropriate, developments should harness the imagination and creative skills of artists and urban designers in the design process to create distinctive urban environments.

The Council will promote design excellence in new housing developments and will use accepted environmental standards such as Building for Life and the Code for Sustainable Homes to evaluate the design quality of all proposals for major residential development within the borough.

Policy MP1 – General Transport Principles indicates to secure sustainable development the Council and its partners will support proposals where they:

- reduce the need for private car use through its location, travel planning and marketing (smarter choices) and any other measures to change travel behaviour.
- consider demand management measures including the effective reallocation of road space in favour of public transport, pedestrians and cyclists.
- adhere to locally determined car and cycle parking standards.
- Mitigate the impact of development or improve the performance of Warrington's Transport Network, including the Strategic Road Network, by delivering site specific infrastructure which will support the proposed level of development.

Policy MP3 – Active Travel indicates The Council will expect that a high priority will be given to the needs and safety of pedestrians and cyclists in new development.

New development should not compromise and should contribute to enhancing and developing integrated networks of continuous, attractive and safe routes for walking and cycling including improvements to roads, Rights of Way and the Greenway Network (as shown on the Policies Map). This should include appropriate segregation of users and appropriate priority should be given to users at junctions. Where appropriate the Council will consider the use of conditions or planning obligations to secure such improvements.

Enhancements and improvements should look to increase accessibility and make the most of potential environmental, social and health benefits.

Particular priority will be given to routes linking residential areas (especially those in recognized areas of deprivation) with employment areas, transport interchanges, schools, Warrington hospital and other local services and facilities.

The Winnick Street Conservation Area is situated a short distance west of the site; however, the site is visually detached from the conservation area, with mature trees and shrubbery providing comprehensive screening between the site and conservation area. Policy QE8 – Historic Environment indicates the Council will ensure that the fabric and setting of heritage assets, as set out below, are appropriately protected and enhanced in accordance with the principles set out in National Planning Policy.

Planning Considerations

In replacing an existing static advertisement sign with an upgraded digital sign the proposal will not increase the number of adverts in the area. The like for like replacement of the display and the controls put in place over the sign's operation will ensure that any change to the visual impact of the site and its surroundings will be "de minimus" and not material.

Notwithstanding that the principle for the site to accommodate advertisements has already been established, it is acknowledged by the applicant that the change in the type of illumination and the potential to increase the rate of change of the adverts requires express consent. The impact of the proposal in respect to amenity and public safety is considered in turn below.

Amenity

As the proposal seeks to "repost" the existing advertisement and therefore mimic the existing situation, there will be minimal impact on visual amenity. The size and positioning of the advertisement will remain unchanged. The side-by-side comparison photo montage of the D-Poster installation provided with the planning drawings helps to illustrate the minimal difference between the existing type of display and the proposed digital replacement.

The existing sign at the site proposed to be upgraded to a digital format is currently externally illuminated. The replacement sign's illumination can be suitably controlled by a standard condition to ensure that the change to a digital format will not cause material harm to amenity, including to any neighboring occupants or properties. The level of luminance will be set at no greater than 300cd/m² during hours of darkness. The context of the site's urban surroundings, which include other illuminated adverts & street lighting establishes the site as appropriate for an illuminated advert of this type. Additional controls over the display can be considered if necessary to remedy a specific amenity concern.

In addition, the proposed removal of 1no. Network Rail existing billboard sign in the direct vicinity of the proposal on the northern side of Lythgoes Lane will assist to improve visual amenity on the street scene through reducing the cumulative number of adverts in the locality.

The proposed digital sign, in being a direct replacement for an existing sign, will not materially impact the setting of the nearby conservation area.

Public Safety

When assessing public safety, the key considerations are whether the location is appropriate (i.e. not detrimental to highway safety) and whether the level of illumination and the sequential change between advertisements is controlled to prevent distraction from driving. Consideration has been provided to the sign's siting to ensure it will not impact upon the safe operation of the highway network or impact upon pedestrian movements.

As the principle of an advertisement has already been established at this location, the Council must only consider whether there is any additional distraction arising from the proposed digital sign which would cause an unacceptable impact on highway safety.

Should the Council's Highways department identify any reasons why the location might be challenging to drivers, the applicant would be open to discussing alternative controls.

Conclusion

This application is part of a project to rationalise and bring Network Rail's stock of poster and paste billboards into the 21st century.

The proposal will not change the size, position or orientation of the advert. As such, the established acceptability of an advertisement in this location should not materially change. Commonly used standard conditions can be employed to appropriately control the luminance and operation of the digital screen to ensure that no material harm to amenity or road safety would occur.

For these reasons and the positive benefits set out above, it is considered that the application should be granted express advertisement consent.

We trust that the above is clear and we look forward to receiving notification that the application has been registered in due course. Should you have any queries in relation to any of the attached information, please do not hesitate to contact the undersigned.

Yours sincerely,



Oliver Hanney
Senior Planner
Tetra Tech Planning