

APPLICATION NUMBER: 2022/41271

Ward:	Fairfield and Howley
Date Registered:	17 May 2022
Case Officer	Pauline Shearer
Applicant:	Network Rail
Location:	Billboard advertisements, Lythgoes Lane, Warrington, WA2 7TL
Proposal:	DISPLAY OF 1 NO. INTERNALLY ILLUMINATED DIGITAL LED POSTER SIGN (2 NO. EXISTING POSTER PANELS TO BE REMOVED)
Recommendation:	Approve
Conditions and/or Reasons	see decision notice

SUMMARY OF KEY REASONS FOR RECOMMENDATION

The application is for proposed display of 1 no. Internally illuminated digital led poster sign (2 no. Existing poster panels to be removed).

- Principle of Development – The proposal is located alongside a highway and not within a residential area and in this location is acceptable.
- Impact on Amenity- No impact on nearest residential properties. The proposal will not result in harm to the adjacent Winwick Street Conservation Area.
- Impact on Highway Safety – No adverse impact on highway safety.

DELEGATED DECISION – on the basis of the information submitted on the application form:-

1. With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff - No
- (b) an elected member - No
- (c) related to a member of staff - No
- (d) related to an elected member - No

2. Parish Council objection/Ward Cllr call –in within 21 days – No

3. Is the application submitted by the Council/on council owned land/other Council interest - No

OFFICER'S REPORT

APPLICATION SITE AND SURROUNDINGS

1.1 The site is located alongside a busy road which links the town centre to the A49 Winwick Road and is directly adjacent to the edge of a structure which is part of the railway bridge holding the line leading to Central Station at the bottom of an embankment. The applicant is Network Rail who control the railway bridge and embankments. There are residential properties near the site, although the area is not considered as residential and is an arterial transport and pedestrian link to the town centre.

2.1 The site is allocated within the Strategic Town Centre and Inner Warrington. The site does not affect the setting of Listed Building, nor protected trees and not located within a Conservation Area.

2. DESCRIPTION OF PROPOSAL

2.1 The proposal is for one internally illuminated digital led poster sign. This will replace an existing wooden frame supported externally lit poster sign. It also suggests the removal of a further poster sign on the opposite side of the road in the ownership of the applicant.

Dimensions:

- Height from the ground: 5.5
- Width: 6.5m
- Height Lit area only: 3.5m
- Depth: 0.6m
- illumination level given on forms as 3000cd/m² (NB this seems to be an error as standard levels are 300-600cd/m² and 3000 would be excessively bright)

3. AMENDED PLANS

3.1 No amendments required.

4. LOCAL REPRESENTATIONS

4.1 General Public

The applications was publicised by 36 neighbour notification letters, as a result no objections have been received.

4.2 Ward Councillors – No comments received.

4.3 Parish Council – Area is unparished.

5. CONSULTEES

5.1 WBC Transportation and Development Control – No objections - subject to conditions

5.2 WBC Conservation Officer – No objections.

RELEVANT SITE HISTORY

There is no related planning history pertaining to the existing advertisements.

6. PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken. Whilst third party representations are regarded as material planning considerations (assuming that they raise town planning matters) the primary consideration, irrespective of the source or number of third party representations received, remains the extent to which planning proposals comply with the Development Plan. The National Planning Policy Framework (NPPF) supports this legislative position and its contents are a material consideration in determining the application.

National Planning Policy Framework 2021 (NPPF)

6.2 The Revised National Planning Policy Framework (2021) (NPPF) confirms that decisions should apply a presumption in favour of sustainable development. Paragraph 7 of the document states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. This is balanced by Paragraph 9 which states that plans and decisions need to take local circumstances into account, so that they reflect the character, needs and opportunities of each area.

6.3 Where there are other specific, relevant, material issues raised in the NPPF these will be discussed within the Assessment below. As stated above, the NPPF re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan, in the case of Warrington, refers to the Local Plan Core Strategy (2014).

Relevant Policies in the Local Plan Core Strategy (2014) (LPCS)

- CS1 – Delivering Sustainable Development
- CS7 – The Town Centre
- CS9 – Inner Warrington
- QE6 – Environment and Amenity Protection
- QE7 - Ensuring a High Quality Place
- QE8 – Historic Environment
- MP1 - General Transport Principles
- MP3 - Active Travel

8. EQUALITY ACT (2010)

8.1 In determining this application, the Local Planning Authority has considered the requirements under S149 of the Equality Act 2010. It is considered that the application has no differential impacts.

9. ASSESSMENT

9.1 Principle of Development – The proposal seeks permission for the replacement of a poster sign with that of an LED illuminated sign. The proposal is appropriate for a town centre use and supported by LPCS Policy TC7 and supported by LPCS Policy CS9 in as Inner Warrington remains the focus for new development.

9.2 Impact on Amenity - This is a material consideration in the determination of this application, in this instance there are no resulting detrimental impacts and the proposal complies with LPCS Policy QE6. Planning Practice Guidance establishes that in practice, “amenity” is usually understood to mean the effect on visual and aural amenity in the immediate neighbourhood of an advertisement or site for the display of advertisements, where residents or passers-by will be aware of the advertisement.

9.3 The site has an existing externally illuminated poster sign which is proposed to be replaced with an LED advertisement of a similar size. The location of the advertisement is alongside a main highway which links the town centre to the A49 Winwick Road and as such is one of the town’s main access routes – north/south. The sign is to be located on the same footprint as the existing and is adjacent to the lower structure of the nearby railway bridge and on land controlled by Network Rail. The area is relatively isolated with no existing development facing the road or the location of the proposed advertisement. Due to the embanked railway line and the railway bridge, the area is quite enclosed and the railway bridge itself, an imposing structure under which the traffic – cars and pedestrians – flow. The residential area to the south of the site is situated to the rear of the sign and is at an elevated level. There is a further side located underneath the bridge on the east of Lythgoes Lane.

9.4 Whilst the additional LED sign, together with the two further existing signs and a further consented LED screen 50m to the northwest of this application site, would lead to an unacceptable proliferation of LED and other large advertisement in this location, the applicant’s suggestion of the removal of the existing poster sign opposite this site on Lythgoes will mean that there will be an overall reduction of them and mitigate the harm to area character that a plethora of signage would produce.

9.5 The nearest residences are those at 200 St Peter’s Way to the northwest which is 50m from the site and has rear windows facing the proposed sign. Whilst the sign could be visible to these occupiers at this distance, the levels of illumination will be controlled by condition and there is a significant amount of landscaping alongside the boundaries of this property and Lythgoes Lane which serves to mitigate any impact. The nearest occupiers to the site are those at the apartments of Bailey Court 28m away, immediately to the west of the site. These properties are situated at a higher ground level than that of the LED sign which result in the top of the sign approximately at the same level as the ground level of the apartments. Again there is vegetation/landscaping which lies between the site and the apartments which will serve to mitigate what are oblique views of the sign.

9.6 The proposed advertisement is adjacent to the east of the Winwick Street Conservation Area, however, like Bailey Court, it is located at a higher level of the proposed sign and the site is not within, but next to the rear of the Conservation Area. The site is read in the context of Lythgoes Lane and does not have any impact on the integrity and qualities of the Conservation Area and as a result it is considered to have not serious impact.

9.7 On this basis the proposal is considered to be acceptable and complies with LPCS Policies CS7, CS9, QE6, QE7 and the NPPF and NPPG.

9.8 Impact on Highway Safety – Local Plan Core Strategy Policy MP1 requires development to consider demand management measures; and adhere to locally determined car and cycle parking standards and MP3 expects a high priority to be given to the needs and safety of pedestrians and cyclists. This is underpinned through the NPPF which advises refusal of proposals which would result in an unacceptable impact on highway safety.

9.9 The application is for the display of 1 No. internally illuminated digital LED poster sign (2 existing poster panels to be removed). The proposed sign would replace 2 No. long established traditional poster type signs at the same location (one on the opposite side of the road). Appropriate conditions are requested in order to ensure that no moving imagery is shown on the board and that illuminance levels are controlled within acceptable limits. This will help to ensure there are no dazzle or distraction issues for highway users, in the interest of highway safety.

9.10 On this basis there are no objections on the basis of highway safety and as such the proposal complies with LPCS Policies MP1 and MP3, the NPPF and PPG and is acceptable.

10. CONCLUSIONS AND RECOMMENDATIONS

10.1 The proposal results in advertising which is compatible with the surrounding area without detriment to highway safety; heritage; and amenity; and as such is acceptable and complies with LPCS Policies CS1, SN4, MP1, MP3, QE6, QE7, QE8, SW1 and the NPPF/PPG.

Date Report Completed:	21st June 2022	Pauline Shearer
Date Agreed by Section Head:	23 June 2022	Gary Earnshaw