

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING COMMITTEE**

DATE: **27th October 2021**

REPORT BY: **CHIEF OFFICER (PLANNING, ENVIRONMENT AND ECONOMY)**

SUBJECT: **ERECTION AND DISPLAY OF A FREESTANDING, 48 SHEET SIZED DIGITAL LED ADVERTISEMENT**

APPLICATION NUMBER: **063320**

APPLICANT: **VIVID OUTDOOR MEDIA SOLUTIONS LTD**

SITE: **ST DAVIDS RETAIL PARK, HIGH STREET SALTNEY, FLINTSHIRE**

APPLICATION VALID DATE: **2ND AUGUST 2021**

LOCAL MEMBERS: **COUNCILLOR R LLOYD**
COUNCILLOR V GAY

TOWN/COMMUNITY COUNCIL: **SALTNEY TOWN COUNCIL**

REASON FOR COMMITTEE: **Request by Local Member due to concerns regarding highway safety and visual impact**

SITE VISIT: **No**

1.00 SUMMARY

1.01 This is an application for advertisement consent to display a free-standing, digital LED display advertisement, at St David's Retail Park, High Street, Saltney.

2.00 RECOMMENDATION: TO GRANT ADVERTISEMENT CONSENT, SUBJECT TO THE FOLLOWING:-

2.01 Conditions

1. T02 – in accordance with approved plans and detail

2. Notwithstanding the submitted detail, the illumination levels and sign transition detail shall be agreed prior to the commencement of development and retained thereafter.

Reason: In the interest of Highways Safety and in compliance with Policy D7 of the Flintshire Unitary Development Plan.

3.00 CONSULTATIONS

3.01 Local Members

Councillor R Lloyd

Requests determination by planning committee given concerns over driver distraction/highway safety.

Councillor V Gay

No response at time of writing report

Saltney Town Council

Objects to this application on the grounds of its inappropriate location, its distraction to drivers and pedestrians on an extremely busy junction.

Highways Development Control

Does not object to the erection of the sign, however requires the applicant to agree levels of illuminations.

Community and Business Protection

No adverse comments

Airbus

No objection.

4.00 PUBLICITY

4.01 Neighbour Notification

No representations received

5.00 SITE HISTORY

5.01 No relevant site history

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan

- GEN1 General Requirements for Development
- GEN2 Development Inside Settlement Boundaries
- D7 Outdoor Advertisements

Supplementary Planning Guidance

- (draft) SPG 16 - Advertisements

National Planning Policies:

- Planning Policy Wales – Edition 11 (Feb.2021)
- Future Wales: The National Plan 2040 (FWP 2040)

It is noted and acknowledged that the national planning framework as set out within Planning Policy Wales Edition 11 and Future Wales: The National Plan 2040 sets out the most up to date planning principles against which to consider development proposals. The Development Plan and associated supplementary planning guidance remain broadly consistent with these changes to legislation.

7.00 PLANNING APPRAISAL

7.01 Site Description

The application site comprises a small landscaped area at the edge of the car park which serves the St. Davids Retail Park, at the junction of High Street and Bridge Street, Saltney. There are a variety of buildings types in the vicinity, including a Public House to the west, Supermarket and other retail units to the north and to the south lies the smaller, local retail units of Moorcroft Mews with residential properties beyond. The site is not located within a conservation area and there are no heritage assets nearby.

Proposed Development

The application seeks consent to erect and display (for a temporary period of 4no. years) a single, freestanding, 48 sheet digital LED display. The unit would be mounted 2.5m above ground level, having a width of 6.4m, a height of 3.4m and a depth of 0.65m, and be constructed from a pressed metal frame. Content would be controlled remotely and the screen would display static advertisements which will change no more often than every 10 seconds. The content of such advertisements have not been stated within the application.

Principle of Development

Policy D7 (Outdoor Advertisements) of the Flintshire County Council Unitary Development Plan (2011) states that advertisements will be permitted where “they are sensitively designed and located in respect of amenity and public safety; and the applicant has provided sufficient information to demonstrate that they will not have a detrimental impact on: the character or use of any building or the surrounding landscape / townscape; the safe operation of any form of transport; and the free passage of pedestrians.”

The Main Issues

The main issues in considering the application are :-

- (i) Impact upon character and appearance and;
- (ii) Highways safety implications
- (iii) Impact on living conditions of nearby occupiers

Impact upon character and appearance

The site is located in a predominantly retail/commercial area where free standing signage such as the proposed is considered to be an appropriate form of advertising. There are a variety of signs situated on existing retail premises in the vicinity. The presence of 2no. maturing ornate trees immediately behind the sign, would help it blend with its immediate surroundings. The unit itself will be of a slim, modern, and uncluttered design and I consider that there would be limited impact upon the character and appearance of the site. The closest residential properties to the south of the site are adequate distance away that living conditions would be unaffected. I consider the proposal to be compliant with Policies GEN, D1 and D7 of the Unitary Development Plan.

Highways Safety Implications

The proposal would occupy a setback and offset position from the adjacent highway, ensuring sight lines and visibility splays are maintained. It is acknowledged within the applicants planning statement that the sign would occupy a position within close proximity to a traffic light controlled junction therefore creating a potential for the illumination/change of display of the advertising sign to cause distraction to motorists. This point is re-iterated within the consultation response from the Highways Development Control officer. I acknowledge that advances in technology means that methods of advertising are becoming more digital in nature, and remote control of the advertisement allows advert content to change. The County has seen the safe operation of digital signs in Flintshire. The application is devoid of the substantial information pertaining to illumination and sign content and it is therefore considered that whilst not a reason to refuse advertisement consent, this detail requires further agreement from the Local Planning Authority prior to the commencement of development. Therefore a condition will be imposed requiring specific details of illumination levels and the time interval in which the change of the display occurs.

Additionally, I should like to draw attention to other sites within the County where digital signs of this type are sited. Specifically, to the front of Airbus, Broughton, stands a digital TV Display, similar to the one proposed. It too is near to a controlled junction. Having queried with our Streetscene Team, it has been confirmed that they have received no complaints about the signage in the location and are not aware of any incidents near the location either which have been a factor due to the sign.

Impact Upon Living Conditions of Nearby Occupiers

It is considered that any adverse impact upon living conditions would be attributed to illumination levels displaying at night time. In this regard, I note that the sign is south west facing and therefore the properties likely to be affected would be those located closest to the junction with Victoria Road. These properties consist of commercial units at ground floor with first floor flats above and are some 33m away from the proposed sign. Further approval of illumination levels and sign transition will be required from the LPA and at that time, it can be ensured that night time illumination can be limited so as to mitigate against adverse impact. The applicant has made reference within the submitted planning statement to illumination, stating that “the Institute of lighting practitioners (ILP) guidance specifically considers the use of digital technology. It sets recommended maximum luminance levels per surface area. This guidance recommends that advertisements in urbanised, well lit, areas ‘*should not exceed 300cd/m2 at night*’. During the daytime, the illumination will be adjusted by light sensors to make the image visible but never overly bright or dazzling in the ambient light”. I also note that there have been no adverse comments raised by the Community and Business protection team. I resolve that impact upon living conditions of neighbouring occupiers is negligible.

Other Matters

I refer to the issue of a previous refusal of advertisement consent at Lucky Takeaway Meals, 148 High Street, Saltney. The proposed hoarding sign was to be positioned on the side elevation of the building, at first floor height, measuring 3.9 metres wide by 1.9 metres high and protruding from the wall by 50mm. The proposed sign would consist of a red background with gold text.

The refusal was issued in September 2014 for the following reason:-

“It is the opinion of the Local Planning Authority that the proposed sign, by virtue of it’s size, scale and design, is an inappropriate advertisement at this location given it’s prominent position. As such, the proposed advertisement is contrary to Policies GEN1 and D7 of the Flintshire Unitary Development Plan.”

Having examined application reference 52437, and the reasons that particular application was refused, there are differences between the two proposals which are material to the recommendation of approval for this application.

Firstly, the sites differ in nature. The proposed signage at no 148 High Street was to be positioned on a side elevation of a building of which it would of dominated. It is considered the purpose designed free standing sign, although having a larger surface area would not appear inappropriate at the proposed location, framed as described by mature trees.

Furthermore during the assessment of this application there were no issues raised in respect of highway safety or impact upon living

conditions and therefore it is not considered there is a conflict with planning policy.

8.00 CONCLUSION

In conclusion, I consider that the proposal as described within the application complies with Planning Policy and subject the inclusion of the conditions stated above, that the application be recommended for approval.

8.01 Other Considerations

The Council has had due regard to its duty under Section 17 of the Crime and Disorder Act 1998 and considered that there would be no significant or unacceptable increase in crime and disorder as a result of the recommended decision.

The Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

The Council has had due regard to its public sector equality duty under the Equality Act 2010.

The Council has had due regard to its duty under Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 and considered that there would be no significant or unacceptable impact upon the achievement of wellbeing objectives as a result of the recommended decision.

LIST OF BACKGROUND DOCUMENTS

Planning Application & Supporting Documents
National & Local Planning Policy
Responses to Consultation
Responses to Publicity

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